

City of Rensselaer Local Waterfront Revitalization Program

Adopted:
City of Rensselaer Common Council, May 22, 1986

Approved:
NYS Secretary of State Gail S. Shaffer, March 13, 1987

Concurred:
U.S. Office of Ocean and Coastal Resource Management, June 10, 1987

City of Rensselaer Local Waterfront Revitalization Program

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This Local Waterfront Revitalization Program has been adopted and approved in accordance with the provisions of the Waterfront Revitalization and Coastal Resources Act of 1981 (Executive Law, Article 42) and its implementing regulations (6 NYCRR 600 and 601). Federal concurrence on the incorporation of this Local Waterfront Revitalization Program into the New York State Coastal Management Program as a Routine Program Implementation has been obtained in accordance with the provisions of the U.S. Coastal Zone Management Act of 1972 (P.L. 92-583), as amended, and its implementing regulations (15 CFR 923).

The preparation of this program was financially aided by a federal grant from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management Act of 1972, as amended. Federal Grant No. NA-82-AA-D-CZ068.

The New York State Coastal Management Program and the preparation of Local Waterfront Revitalization Programs are administered by the New York State Department of State, 162 Washington Avenue, Albany, New York 12231.



STATE OF NEW YORK
DEPARTMENT OF STATE

GAIL S. SHAFFER
SECRETARY OF STATE

REPLY TO
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NEW YORK CITY, NY 10007
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March 13, 1987

Honorable Joseph E. Harrigan
Mayor
City of Rensselaer
City Hall
Rensselaer, NY 12144

Dear Mayor Harrigan:

It is with great pleasure that I inform you that, pursuant to the Waterfront Revitalization and Coastal Resources Act, I have approved the City of Rensselaer Local Waterfront Revitalization Program (LWRP). The City is to be commended for its thoughtful and energetic response to opportunities presented along its waterfront and for being the first municipality in the Capital District to have an approved LWRP.

I will shortly notify State agencies that I have approved the City's LWRP and will provide them with a list of activities which must be undertaken in a manner consistent to the maximum extent practicable with the Rensselaer LWRP.

Again, I would like to commend the City of Rensselaer on its efforts to develop the LWRP and look forward to working with you in the years to come as you endeavor to redevelop and revitalize your waterfront.

Sincerely,


Gail S. Shaffer

GSS:lc



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
Washington, D.C. 20235

JUN 10 1987

Mr. George Stafford
Director
Division of Coastal Resources
and Waterfront Revitalization
Department of State
162 Washington Street
Albany, New York 12231

Dear Mr. Stafford:

The Office of Ocean and Coastal Resource Management has completed its review of your request to incorporate the Town of Rensselaer Local Waterfront Revitalization Program (LWRP) into the New York Coastal Management Program. We have received the program as adopted by the Town and approved by the New York Secretary of State. We received no comments objecting to adoption of the LWRP as a routine program implementation change.

You and my staff have discussed the problem of clearly identifying in the LWRP which of the 44 coastal policies listed in the NYS CMP apply to the LWRP area. Because there is evidence in the documents that policies labeled "not included" do apply, we concur with your request that the Rensselaer LWRP be considered as a routine program implementation. We understand you have remedied the problem of clearly identifying which policies apply by eliminating the term "not included" from future LWRPs.

In accordance with the Coastal Management Regulations, 15 CFR 923.84, Federal Consistency will apply to the Town of Rensselaer LWRP after you publish notice of our approval.

Sincerely,

Peter L. Tweedt
Director





JOSEPH E. HARRIGAN
MAYOR

CITY OF RENSSELAER

OFFICE OF
THE MAYOR

CITY HALL
RENSSELAER, NY 12144

Telephone: (518) 462-9511

27 May 1986

The Honorable Gail S. Shaffer
Secretary of State
State of New York
Department of State
162 Washington Avenue
Albany, New York 12231

Dear Secretary Shaffer:

This letter represents formal submission by the City of Rensselaer of its Final Local Waterfront Revitalization Program document for approval under Article 42 of the Executive Law. Also enclosed is a certified copy of the resolution adopting the program, passed by the Common Council at its meeting of 22 May 1986.

We hope that the Final LWRP meets with your approval and will soon become the primary tool for regulating the use and development of Rensselaer's waterfront. We are also looking forward to applying for any program grants that may be available.

If you or your staff have any questions, please refer them to Mr. Douglas Burgey, Director, Rensselaer Planning and Development Agency, who can be reached at 465-1693.

Sincerely,

Joseph E. Harrigan
Mayor

[illegible]

CITY OF RENSSELAER
Rensselaer County, New York
LOCAL WATERFRONT REVITALIZATION PROGRAM

prepared for

CITY OF RENSSELAER

Honorable Joseph E. Harrigan
Mayor

Michael Bridgeford, Chairman
City Planning Commission

Douglas Burgey, Director
Planning and Development Agency

prepared by

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Troy, New York 12180

City Planning and Development Agency

CITY OF RENSSELAER
Rensselaer County, New York
LOCAL WATERFRONT REVITALIZATION PROGRAM
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CITY OF RENSSELAER
Rensselaer County, New York
LOCAL WATERFRONT REVITALIZATION PROGRAM
INTRODUCTION

Throughout the past decade, the City of Rensselaer has recognized the strong potential of its Hudson Riverfront as the focus of its long-term revitalization efforts. The City consequently views the LOCAL WATERFRONT REVITALIZATION PROGRAM as an opportunity to reaffirm its commitment to the wise development of this unique resource, to call the attention of the business community to the substantial investment opportunities present there, and to discuss areas in which inter-governmental cooperation (local/county/state/federal) and private/public partnership will be essential to fully achieve PROGRAM objectives.

The City's Hudson Riverfront has been the subject of three prior comprehensive studies during the past decade, specifically:

- . The Rensselaer Riverfront: A Public Policy Guide, Arthur F. Brod Jr., AIP, and Floyd E. Barwig, AIA, for the Office of the Mayor, 1976, 187 pages.
- . City of Rensselaer: A Local Coastal Management Case Study, New York State Department of State Coastal Management Program, 1979, 61 pages.
- . Riverfront Development Plan: Riverfront Open Space System, Historic Neighborhood Plans and Rensselaer Downtown, Rensselaer Planning and Development Agency and The Saratoga Associates, 1981, 99 pages.

These studies have collectively addressed the singular policy statement that presents both the comprehensive intent of the New York State Coastal Management Program and the overall objective of the City's LOCAL WATERFRONT REVITALIZATION PROGRAM:

"RESTORE, REVITALIZE AND REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL, INDUSTRIAL, CULTURAL, RECREATIONAL AND OTHER COMPATIBLE USES."

The Riverfront Development Plan, in particular, focuses upon four highly significant objectives of the City's LOCAL WATERFRONT REVITALIZATION PROGRAM, namely (1) improved recreation and public access, (2) increased economic development, (3) greater aesthetic quality within the coastal zone, and (4) protection from flooding.

It is not the intention of this PROGRAM report to replicate the technical detail provided in the prior studies, but merely to state as succinctly as possible the basic elements of the LOCAL WATERFRONT REVITALIZATION PROGRAM so that intergovernmental acceptance and approval of its content may be sought and private/public achievement of its recommendations guided.

PLANNING PROCESS

The City of Rensselaer's LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP) has been developed in accordance with the New York State Waterfront Revitalization and Coastal Resources Act (1981) and related procedures, requirements and guidelines promulgated by the New York State Department of State.

The planning process through which the City's PROGRAM has evolved included the following steps, as sequentially discussed in the body of this report:

1. BOUNDARY DETERMINATION, in which the coastal area serving as the program basis for waterfront policies and activities is defined.
2. INVENTORY AND ANALYSIS, in which conservation and development opportunities and constraints within the program area are identified and their complexities and interrelationships examined.
3. POLICY DETERMINATION, in which the City's governing body, its Common Council, upon recommendation of the City's Planning Commission, identifies those State policies applicable to the city's coastal area and develops a statement of local policies.
4. USES AND PROJECTS, in which specific proposals are presented regarding potential land uses and projects to be undertaken to advance the coastal policies.
5. IMPLEMENTATION TECHNIQUES, in which specific management, funding and program strategies are identified or developed including organizational structures, land use controls, laws, ordinances, regulations, local government capabilities, and necessary and appropriate state actions.
6. CONSULTATION WITH FEDERAL, STATE, REGIONAL, AND LOCAL AGENCIES, in which these agencies comment on the proposed waterfront program.
7. IDENTIFICATION OF RELEVANT STATE AND FEDERAL PROGRAMS, in which the impacts of non-local programs and actions are considered and both those programs and the proposed waterfront program are modified for consistency.
8. LOCAL COMMITMENT, in which the Planning Commission formally presents the proposed waterfront program to the Common Council, which approves the program and transmits the LWRP to the State of New York.

9. ENVIRONMENTAL CLEARANCE AND PRELIMINARY DRAFT SUBMISSION, in which the waterfront program is examined for impacts on the environment and the program is presented to State, regional, and local authorities for review and comment.
10. DRAFT SUBMISSION, in which the revisions which may be suggested in the prior step are incorporated in the program report and submitted to the New York State Department of State for approval.

One of the major benefits of the Waterfront Revitalization Act is the concept of "consistency". The process of program approval allows the State an adequate opportunity to determine that the local program does, in fact, further State coastal policies so that with State approval, the LOCAL WATERFRONT REVITALIZATION PROGRAM can act as a guide for State and Federal actions to ensure their consistency with the local program.

Additionally, another benefit available to the City is financial assistance through the Department of State Coastal Management Program for implementation of the LOCAL WATERFRONT REVITALIZATION PROGRAM. Once the program is approved, grants are available for research, studies, design development, and other necessary activities which serve to implement the various projects identified in the Program.

SECTION I
WATERFRONT REVITALIZATION AREA BOUNDARY

The State's Coastal Management Program has established statewide coastal boundaries in accordance with the requirements of the Coastal Zone Management Act of 1972, as amended, and its subsequently-issued rules and regulations. This previously-designated waterfront revitalization area boundary for the City has been reviewed and reaffirmed during the Local Waterfront Revitalization Program planning process.

Specifically, as illustrated on Figure 1, the inland coastal area boundary in Rensselaer generally follows the landward (eastern) edge of the right-of-way of the Conrail tracks, which extend from south to north throughout the City. This boundary has been selected for several of its characteristics: (1) being generally coincident with the 100-year flood hazard area boundary; (2) being the point at which the land begins to slope upward from the level Hudson River plain; and (3) further being a distinct land use boundary between commercial/industrial uses on the River (seaward) side of the tracks and more residential uses on the landward side. Where the limit of the 100-year flood extends landward (generally easterly) of the right-of-way of the tracks, the waterfront revitalization area boundary instead follows the 100-year flood boundary. The boundary makes one detour from this course to encompass the historic district in Bath.

The seaward boundary of Rensselaer's coastal area is coincident with the City's legal jurisdiction. The Rensselaer City Charter (1915) specifically defines the City's legal jurisdiction as coincident with the westernmost boundary of Rensselaer County; this boundary assumedly is the approximate centerline of the Hudson River.

SECTION II
INVENTORY AND ANALYSIS

Planning for appropriate land use and development within the waterfront program area requires a clear understanding of its existing natural and man-made resources. The City's Local Waterfront Revitalization Program planning process has included review and updating of data provided within the City's three previously-referenced prior studies of its Hudson Riverfront:

- . The Rensselaer Riverfront: A Public Policy Guide;
- . City of Rensselaer: A Local Coastal Management Case Study; and
- . City of Rensselaer: Riverfront Development Plan

DETAILED NATURAL AND MAN-MADE RESOURCES INVENTORY

The Appendix of this Program report includes an excerpt from the "Facts" section of the aforementioned Public Policy Guide. This excerpt includes a comprehensive review of the natural characteristics (i.e., surficial/glacial geology, soils, topography/slope, topography/relief, water resources and floodprone areas), environmental standards (i.e., air quality, water quality and noise) and developmental characteristics (i.e., development pattern, historic resources, existing land use, population distribution, housing, parks and community facilities, transportation and public utilities) that describes the Rensselaer Riverfront.

Analysis today of this data base reaffirms fully the conclusions reached by the State's Coastal Management Program staff in its 1979 Case Study, specifically:

"The problem in Rensselaer is a problem of underutilization of coastal resources and amenities rather than one of competition or conflict between uses. The Rensselaer Riverfront is a place where there is both a need and an opportunity for major physical and economic improvements. It is a Riverfront that has ample space for all the uses that characterize an urban waterfront -- commerce, recreation, housing, and open space. The problem is making something happen -- finding funds, identifying a market, or creating a demand for the use of Rensselaer coastal resources. It is, therefore, those policies geared to inducing activity that are most relevant to Rensselaer and that should be the focus of a local coastal management program. Substantively, the policy direction of a local program for Rensselaer should center on needs in recreation/public access, economic development and aesthetic quality.

While there is now very little in the way of developed recreation facilities or public access, Rensselaer is in a better position to take advantage of its Riverfront for such development than most other Hudson River cities. There are several reasons for this. First, potential conflicts between recreation and other uses need not be a problem. Though there is industrial development, it is in the southern part of the City, removed from the relatively undeveloped shorefront in the remainder of the City. Second, railroads or urban expressways generally do not limit physical access to the river. In other Hudson River cities, such as Albany and Poughkeepsie, these are definite barriers to access. Third, there are no extreme topographic barriers to overcome. And fourth, there is a considerable amount of undeveloped land and land in public ownership. Development of a comprehensive open space plan should, therefore, be a primary concern of a local coastal management program.

Economic development is important to Rensselaer because as a small economically distressed city, its citizens need improved employment opportunities, and its government needs an improved economic condition if it is to have the revenue needed to undertake projects necessary for a fuller utilization of coastal resources. To meet the City's need for economic growth, there is potential for expanded activity on the Rensselaer side of the Albany Port District, particularly in light of reconstruction of the docks. There is potential also for industrial development on a highly suitable parcel of undeveloped land to the east of the Port District. This site has public utilities, rail sidings, good access to the port, few topographic constraints, and is surrounded by industrial uses. Given the site's high degree of suitability for water-dependent and other industrial uses as well as the need for economic development, conceptual 'preclearing' of permits would be one method to promote the area.

The significant amount of open space along Rensselaer's shore provides opportunity to enjoy not only the striking architectural variety of New York's capital city, with all its historic and cultural associations, but also the natural and man-made aesthetic attributes of Rensselaer itself. A tree-edged beach, gently rolling fields, and wooded hills are all to be found, as well as two areas of significant architecture representative of several historic periods. Unfortunately, the areas and views described are not always accessible and the historic districts are in a deteriorated state. Again, an open space plan would be an important next step in improving these conditions and thus the aesthetic quality of Rensselaer.

The most significant natural characteristic of Rensselaer is a strong susceptibility to flooding. As a result, the City is participating in the National Flood Insurance Program and will soon be accepted into the regular phase of the program, the final maps having been completed and floodproofing provisions having been incorporated into the City's Zoning Law for the flood hazard zone.

Issues related to water quality, air quality, fish and wildlife and energy, while important to the City of Rensselaer are not likely to be a direct concern of a local coastal management program. Major coastal concerns in these areas are primarily a State responsibility.

The City of Rensselaer has generally addressed the statewide Coastal Management Program issues on a policy level in the Riverfront Policy Guide and on a legislative level in new zoning and subdivision regulations enacted in January, 1979...it appears that an approvable local coastal management program for the City is in place. Once approved, an on-going local program can devote attention to the details of important issues so that desired change becomes reality."

One freshwater wetland, designated D-103, is located east of the petroleum tank farms in the southern extreme of the City's coastal area. This site is less than 12.4 acres, and is not a State regulated freshwater wetland. However, DEC Freshwater Wetlands standards are locally applied to this site. Local development standards are also in effect.

The N.Y.S. Museum Archeological Site Location Map and the N.Y.S. Historic Preservation Office Archeological Site File indicate numerous sites in the general vicinity of the City as possible sites with sensitive archeological resources. These resources will be protected by measures developed by the City in cooperation with the N.Y.S. Office of Parks, Recreation, and Historic Preservation.

Since the completion of the 1979 Case Study, a significant component in the overall open space system has been developed by the City in cooperation with the NYS Department of Transportation, i.e., the Rensselaer Riverfront Park, and Rensselaer has been accepted into the regular phase of the National Flood Insurance Program.

SECTION III
WATERFRONT REVITALIZATION PROGRAM POLICIES

INDEX TO POLICIES CONTAINED IN THIS SECTION

Page No.

DEVELOPMENT POLICIES

<u>Policy 1.</u>	RESTORE, REVITALIZE, AND REDEVELOP REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL AND INDUSTRIAL, CULTURAL, RECREATIONAL AND OTHER COMPATIBLE USES.	III-13
<u>Policy 1A.</u>	Redevelop the Albany Port District property and related vacant and tank farm lands as an integral part of a regional marine transportation facility and, thus, the industrial focus of the City's Local Waterfront Revitalization Program.	III-13
<u>Policy 1B.</u>	Redevelop the City's Central Riverfront (generally defined as that area including the Zappala Block, Huyck Felt, City Hall and AMTRAK properties) as a focus for commercial expansion within the City's LWRP.	III-13
<u>Policy 1C.</u>	Redevelop the City's Northern Riverfront as a uniquely-situated site for new residential and recreational/open space development.	III-13
<u>Policy 1D.</u>	Stabilize and revitalize the historic Fort Crailo and Bath neighborhoods for residential and compatible limited commercial uses.	III-13
<u>Policy 1E.</u>	Stabilize and revitalize the Rensselaer Downtown; i.e., the central business district and shopping center area, for major retail, office and related activities.	III-13
<u>Policy 1F.</u>	Integrate the various waterfront area land uses, provide recreation and public access opportunities, and preserve waterfront lands through the development of an open space/trail system extending fully from a Port	III-13

area overlook in the City's highly-industrial southern end to an expansive open space/park area on lands owned by RPI in the vicinity of the Patroon Island (I-90) Bridge.

- Policy 1G. Allow the extension of proposed office park development supportive of the Rensselaer Technology Park southward from the North Greenbush coastal area into the RPI-owned northern extremes of the Rensselaer Riverfront, provided environmental and access problems can be resolved. III-14
- Policy 2. FACILITATE THE SITING OF WATER-DEPENDENT USES AND FACILITIES ON OR ADJACENT TO COASTAL WATERS. III-15
- Policy 2A. Maintain all suitable industrial land within and contiguous to the Port lands, to provide a critical land mass for marine-dependent industrial development. III-16
- Policy 3. FURTHER DEVELOP THE STATE'S MAJOR PORTS OF ALBANY, BUFFALO, NEW YORK, OGDENSBURG AND OSWEGO AS CENTERS OF COMMERCE AND INDUSTRY AND ENCOURAGE THE SITING, IN THESE PORT AREAS, INCLUDING THOSE UNDER THE JURISDICTION OF STATE PUBLIC AUTHORITIES, OF LAND USE AND DEVELOPMENT WHICH IS ESSENTIAL TO, OR IN SUPPORT OF, THE WATERBORNE TRANSPORTATION OF CARGO AND PEOPLE. III-17
- Policy 3A. Require commitments to significant near term improvements in land (i.e., vehicular) access to the Port and industrial area prior to the approval of development actions which may result in increased truck and related traffic through the City's existing residential neighborhoods. III-17
- Policy 4. NOT APPLICABLE III-18
- Policy 5. ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE PUBLIC SERVICES AND FACILITIES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE. III-19

Policy 6. NOT INCLUDED IN THE LOCAL PROGRAM. III-19

FISH AND WILDLIFE POLICIES

Policy 7. NOT APPLICABLE. III-19

Policy 8. PROTECT FISH AND WILDLIFE RESOURCES IN THE COASTAL AREA FROM THE INTRODUCTION OF HAZARDOUS WASTES AND OTHER POLLUTANTS WHICH BIOACCUMULATE IN THE FOOD CHAIN OR WHICH CAUSE SIGNIFICANT SUBLETHAL OR LETHAL EFFECT ON THOSE RESOURCES. III-19

Policy 9: EXPAND RECREATIONAL USE OF FISH AND WILDLIFE RESOURCES IN COASTAL AREAS BY INCREASING ACCESS TO EXISTING RESOURCES, SUPPLEMENTING EXISTING STOCKS, AND DEVELOPING NEW RESOURCES. SUCH EFFORTS SHALL BE MADE IN A MANNER WHICH ENSURES THE PROTECTION OF RENEWABLE FISH AND WILDLIFE RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM. III-20

Policy 10. NOT APPLICABLE. III-20

FLOODING AND EROSION HAZARD POLICIES

Policy 11. BUILDINGS AND OTHER STRUCTURES WILL BE SITED IN THE COASTAL AREA SO AS TO MINIMIZE DAMAGE TO PROPERTY AND THE ENDANGERING OF HUMAN LIVES CAUSED BY FLOODING AND EROSION. III-20

Policy 12. NOT APPLICABLE III-22

Policy 13. THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES SHALL BE UNDERTAKEN ONLY IF THEY HAVE A REASONABLE PROBABILITY OF CONTROLLING EROSION FOR AT LEAST THIRTY (30) YEARS, AS DEMONSTRATED BY DESIGN AND CONSTRUCTION STANDARDS AND/OR ASSURED MAINTENANCE OR REPLACEMENT PROGRAMS. III-22

Policy 13A. The construction of erosion control bulkheading, riprapping, sea wall construction or reconstruction, or piling installation including that III-22

necessary to maintain the navigable channel of the Hudson River and the Port turning basin, shall meet sound construction practices and procedures and be undertaken only if they have a reasonable probability of functioning as demonstrated in design and construction standards and/or assured maintenance or replacement programs.

- Policy 14. ACTIVITIES AND DEVELOPMENT, INCLUDING THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES, SHALL BE UNDERTAKEN SO THAT THERE WILL BE NO MEASURABLE INCREASE IN EROSION OR FLOODING AT THE SITE OF SUCH ACTIVITIES OR DEVELOPMENT OR AT OTHER LOCATIONS IMPACTED BY SUCH ACTIVITIES OR DEVELOPMENT. III-23
- Policy 15. NOT APPLICABLE. III-23
- Policy 16. PUBLIC FUNDS SHALL ONLY BE USED FOR EROSION PROTECTIVE STRUCTURES WHERE NECESSARY TO PROTECT HUMAN LIFE OR EXISTING DEVELOPMENT, AND FOR NEW DEVELOPMENT WHICH REQUIRES A LOCATION WITHIN OR ADJACENT TO AN EROSION HAZARD AREA TO BE ABLE TO FUNCTION; BUT ONLY WHERE THE PUBLIC BENEFITS OUTWEIGH THE LONG-TERM MONETARY AND OTHER COSTS, INCLUDING THE POTENTIAL FOR INCREASING EROSION AND ADVERSE EFFECTS ON NATURAL PROTECTIVE FEATURES. III-23
- Policy 17. WHENEVER POSSIBLE, USE NONSTRUCTURAL MEASURES TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION. SUCH MEASURES SHALL INCLUDE THE FOLLOWING: (A) THE SET-BACK OF BUILDINGS AND STRUCTURES; (B) THE PLANTING OF VEGETATION AND THE INSTALLATION OF SAND FENCING AND DRAINAGE; (C) THE RESHAPING OF BLUFFS; AND (D) THE FLOOD-PROOFING OF BUILDINGS OR THEIR ELEVATION ABOVE THE BASE FLOOD LEVEL. III-24

GENERAL POLICY

- Policy 18. TO SAFEGUARD THE VITAL ECONOMIC, SOCIAL, AND ENVIRONMENTAL INTERESTS OF THE STATE AND ITS CITIZENS, PROPOSED MAJOR ACTIONS IN THE COASTAL AREA MUST GIVE FULL CONSIDERATION TO THOSE INTERESTS, AND TO THOSE SAFEGUARDS WHICH THE STATE HAS ESTABLISHED TO PROTECT VALUABLE COASTAL RESOURCE AREAS. III-24

PUBLIC ACCESS POLICIES

- Policy 19. PROTECT, MAINTAIN AND INCREASE THE LEVELS AND TYPES OF ACCESS TO PUBLIC WATER-RELATED RECREATIONAL RESOURCES AND FACILITIES SO THAT THESE RESOURCES AND FACILITIES MAY BE FULLY UTILIZED BY ALL THE PUBLIC IN ACCORDANCE WITH REASONABLY-ANTICIPATED PUBLIC RECREATION NEEDS AND THE PROTECTION OF HISTORIC AND NATURAL RESOURCES. IN PROVIDING SUCH ACCESS, PRIORITY SHALL BE GIVEN TO PUBLIC BEACHES, BOATING FACILITIES, FISHING AREAS, AND WATERFRONT PARKS. III-25
- Policy 19A. Develop a Port Area Overlook, including small boat launch, as a facility for passive and water-dependent active recreation and a perspective from which Port activities on both shores of the Hudson River might be viewed. III-25
- Policy 19B. Develop a Class 2 bikeway linking the Port Area Overlook through the Fort Crailo neighborhood and Central Business District to Riverfront Park at its proposed Downtown entrance. III-25
- Policy 19C. Extend development of Riverfront Park to include proposed downtown entrance and expanded parking and recreational facilities. III-26
- Policy 19D. Provide public access for continuation of the Riverfront open space trail system through the Central Riverfront, the School III-26

District property and the Amtrak property to its immediate north.

Policy 19E. Acquire an interest in Amtrak's River-most property to permit development of overlooks and open unstructured recreational areas with direct access to the beach-like shoreline at the location. III-26

Policy 19F. Extend the Riverfront trail through a redeveloped northern Riverfront area, including clustered housing and a waterfront restaurant with associated boat mooring and fishing pier at Bath. III-26

Policy 19G. Provide a northern focus for the City's Riverfront open space trail system by developing picnic areas and active recreational facilities, such as ball fields and tennis courts, on the RPI lands north of the Barnet Mills and extending to and beyond the Patroon Island Bridge. III-26

Policy 19H. Link the City's Riverfront open space system with further recreational amenities and development proposed in the Town of North Greenbush under its Local Waterfront Revitalization Program. III-26

Policy 20. ACCESS TO THE PUBLICLY-OWNED FORESHORE AND TO LANDS IMMEDIATELY ADJACENT TO THE FORESHORE OR THE WATER'S EDGE THAT ARE PUBLICLY OWNED SHALL BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES. SUCH LANDS SHALL BE RETAINED IN PUBLIC OWNERSHIP. III-27

RECREATION POLICIES

Policy 21. WATER-DEPENDENT AND WATER-ENHANCED RECREATION SHALL BE ENCOURAGED AND FACILITATED AND SHALL BE GIVEN PRIORITY OVER NON-WATER-RELATED USES ALONG THE COAST, PROVIDED SUCH RECREATION IS CONSISTENT WITH THE PRESERVATION AND ENHANCEMENT OF OTHER III-28

COASTAL RESOURCES AND TAKES INTO ACCOUNT DEMAND FOR SUCH FACILITIES. IN FACILITATING SUCH ACTIVITIES, PRIORITY SHALL BE GIVEN TO AREAS WHERE ACCESS TO THE RECREATION OPPORTUNITIES OF THE COAST CAN BE PROVIDED BY NEW OR EXISTING PUBLIC TRANSPORTATION SERVICES AND TO THESE AREAS WHERE THE USE OF THE SHORE IS SEVERELY RESTRICTED BY EXISTING DEVELOPMENT.

<u>Policy 22.</u>	DEVELOPMENT, WHEN LOCATED ADJACENT TO THE SHORE, SHALL PROVIDE FOR WATER-RELATED RECREATION, AS A MULTIPLE USE, WHENEVER SUCH RECREATIONAL USE IS APPROPRIATE IN LIGHT OF REASONABLY ANTICIPATED DEMAND FOR SUCH ACTIVITIES AND THE PRIMARY PURPOSE OF THE DEVELOPMENT.	III-28
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HISTORIC AND SCENIC RESOURCES POLICIES

<u>Policy 23.</u>	PROTECT, ENHANCE AND RESTORE STRUCTURES, DISTRICTS, AREAS OR SITES THAT ARE OF SIGNIFICANCE IN THE HISTORY, ARCHITECTURE, ARCHEOLOGY, OR CULTURE OF THE STATE, ITS COMMUNITIES, OR THE NATION.	III-29
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<u>Policy 24.</u>	NOT APPLICABLE.	III-30
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<u>Policy 25.</u>	PROTECT, RESTORE AND ENHANCE NATURAL AND MAN-MADE RESOURCES WHICH ARE NOT IDENTIFIED AS BEING OF STATEWIDE SIGNIFICANCE BUT WHICH CONTRIBUTE TO THE SCENIC QUALITY OF THE COASTAL AREA.	III-31
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AGRICULTURAL LANDS POLICY

<u>Policy 26.</u>	NOT APPLICABLE.	III-31
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ENERGY AND ICE MANAGEMENT POLICIES

<u>Policy 27.</u>	NOT APPLICABLE.	III-31
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<u>Policy 28.</u>	NOT INCLUDED IN THE LOCAL PROGRAM.	III-31
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Policy 29. NOT INCLUDED IN THE LOCAL PROGRAM. III-31

WATER AND AIR RESOURCES POLICIES

Policy 30. NOT INCLUDED IN THE LOCAL PROGRAM. III-31

Policy 31. STATE COASTAL AREA POLICIES AND PURPOSES OF APPROVED LOCAL WATERFRONT REVITALIZATION PROGRAMS WILL BE CONSIDERED WHILE REVIEWING COASTAL WATER CLASSIFICATIONS AND WHILE MODIFYING WATER QUALITY STANDARDS; HOWEVER, THOSE WATERS ALREADY OVERBURDENED WITH CONTAMINANTS WILL BE RECOGNIZED AS BEING A DEVELOPMENT CONSTRAINT. III-31

Policy 32. NOT APPLICABLE. III-32

Policy 33. BEST MANAGEMENT PRACTICES WILL BE USED TO ENSURE THE CONTROL OF STORMWATER RUNOFF AND COMBINED SEWER OVERFLOWS DRAINING INTO COASTAL WATERS. III-32

Policy 34. DISCHARGE OF WASTE MATERIALS FROM VESSELS INTO COASTAL WATERS WILL BE LIMITED SO AS TO PROTECT SIGNIFICANT FISH AND WILDLIFE HABITATS, RECREATIONAL AREAS AND WATER SUPPLY AREAS. III-32

Policy 35. DREDGING AND DREDGE SPOIL DISPOSAL IN COASTAL WATERS WILL BE UNDERTAKEN IN A MANNER THAT MEETS EXISTING STATE DREDGING PERMIT REQUIREMENTS, AND PROTECTS SIGNIFICANT FISH AND WILDLIFE HABITATS, SCENIC RESOURCES, NATURAL PROTECTIVE FEATURES, IMPORTANT AGRICULTURAL LANDS, AND WETLANDS. III-33

Policy 36. ACTIVITIES RELATED TO THE SHIPMENT AND STORAGE OF PETROLEUM AND OTHER HAZARDOUS MATERIALS WILL BE CONDUCTED IN A MANNER THAT WILL PREVENT, OR AT LEAST MINIMIZE SPILLS INTO COASTAL WATERS; ALL PRACTICABLE EFFORTS WILL BE UNDERTAKEN TO EXPEDITE THE CLEANUP OF SUCH DISCHARGES AND RESTITUTION III-33

FOR DAMAGES WILL BE REQUIRED WHEN
THESE SPILLS OCCUR.

<u>Policy 37.</u>	BEST MANAGEMENT PRACTICES WILL BE UTILIZED TO MINIMIZE THE NON-POINT DISCHARGE OF EXCESS NUTRIENTS, ORGANICS AND ERODED SOILS INTO COASTAL WATERS.	III-34
<u>Policy 38.</u>	NOT INCLUDED IN THE LOCAL PROGRAM.	III-34
<u>Policy 39.</u>	THE TRANSPORT, STORAGE, TREATMENT AND DISPOSAL OF SOLID WASTES, PARTICULARLY HAZARDOUS WASTES, WITHIN COASTAL AREAS WILL BE CONDUCTED IN SUCH A MANNER SO AS TO PROTECT GROUNDWATER AND SURFACE WATER SUPPLIES, SIGNIFICANT FISH AND WILDLIFE HABITATS, RECREATION AREAS, IMPORTANT LAND AND SCENIC RESOURCES.	III-34
<u>Policy 40.</u>	NOT INCLUDED IN THE LOCAL PROGRAM.	III-35
<u>Policy 41.</u>	NOT INCLUDED IN THE LOCAL PROGRAM.	III-35
<u>Policy 42.</u>	NOT INCLUDED IN THE LOCAL PROGRAM.	III-35
<u>Policy 43.</u>	NOT INCLUDED IN THE LOCAL PROGRAM.	III-35
<u>Policy 44.</u>	PRESERVE AND PROTECT TIDAL AND FRESHWATER WETLANDS AND PRESERVE THE BENEFITS DERIVED FROM THESE LAND AREAS.	III-35

The forty-four (44) State Coastal Policies cited in the "New York State Coastal Management Program and Final Environmental Impact Statement" are discussed in this section of the City's Local Waterfront Revitalization Program. Where appropriate, State Policies have been elaborated upon in order to reflect specific local conditions and concerns that were discussed in detail in the Riverfront Development Plan (1981) and which serve as the basis for the "Proposed Land and Water Uses and Proposed Projects" described in Section IV.

DEVELOPMENT POLICIES

Policy 1. RESTORE, REVITALIZE, AND REDEVELOP DETERIORATED AND UNDERUTILIZED WATERFRONT AREAS FOR COMMERCIAL AND INDUSTRIAL, CULTURAL, RECREATIONAL AND OTHER COMPATIBLE USES.

Revitalization of the City of Rensselaer's waterfront area is vital to the City's overall strategy for community and economic development. In particular, the City seeks to achieve the following policies within its waterfront area:

Policy 1A. Redevelop the Albany Port District property and related vacant and tank farm lands as an integral part of a regional marine transportation facility and, thus, the industrial focus of the City's Local Waterfront Revitalization Program.

Policy 1B. Redevelop the City's Central Riverfront (generally defined as that area including the Zappala Block, Huyck Felt, City Hall and AMTRAK properties) as a focus for commercial expansion within the City's LWRP.

Policy 1C. Redevelop the City's Northern Riverfront as a uniquely-situated site for new residential and recreational/open space development.

Policy 1D. Stabilize and revitalize the historic Fort Crailo and Bath neighborhoods for residential and compatible limited commercial uses.

Policy 1E. Stabilize and revitalize the Rensselaer Downtown; i.e., the central business district and shopping center area, for major retail, office and related activities.

Policy 1F. Integrate the various waterfront area land uses, provide recreation and public access opportunities, and preserve waterfront lands through the development of an open space/trail

system extending fully from a Port area overlook in the City's highly-industrial southern end to an expansive open space/park area on lands owned by RPI in the vicinity of the Patroon Island (I-90) Bridge.

Policy 1G. Allow the extension of proposed office park development supportive of the Rensselaer Technology Park Southward from the North Greenbush coastal area into the RPI-owned northern extremes of the Rensselaer Riverfront, provided environmental and access problems can be resolved.

The City of Rensselaer through its waterfront revitalization program has primary responsibility for implementing these policies. In support of this local responsibility, Federal and State government shall be guided by the following criteria:

1. When a Federal or State action is proposed to take place in an urban waterfront area regarded as suitable for development, the following guidelines will be used:
 - a. Priority should be given to uses which are dependent on a location adjacent to the water;
 - b. The action should enhance existing and anticipated uses. For example, a new highway should be designed and constructed so as to serve the potential access needs for desirable industrial development;
 - c. The action should serve as a catalyst to private investment in the area;
 - d. The action should improve the deteriorated condition of a site and, at a minimum, must not cause further deterioration. For example, a building could not be abandoned without protecting it against vandalism and/or structural decline;
 - e. The action must lead to development which is compatible with the character of the area, with consideration given to scale, architectural style, density, and intensity of use;
 - f. The action should have the potential to improve the existing economic base of the community, and, at a minimum, must not jeopardize this base. For example, waterfront development meant to serve consumer needs would be inappropriate in an area where no increased consumer demands were expected and existing development was already meeting demand;

- g. The action should improve adjacent and upland views of the water, and, at a minimum, must not affect these views in an insensitive manner;
 - h. The action should have the potential to improve the potential for multiple uses of the site.
2. If a State or Federal action is proposed to take place outside of a given deteriorated, underutilized urban waterfront area suitable for redevelopment, and is either within the relevant community or adjacent coastal communities, the agency proposing the action must first determine if it is feasible to take the action within the deteriorated, underutilized urban waterfront area in question. If such an action is feasible, the agency should give strong consideration to taking the action in that area. If not feasible, the agency must take the appropriate steps to ensure that the action does not cause further deterioration of that area.

Policy 2. FACILITATE THE SITING OF WATER-DEPENDENT USES AND FACILITIES ON OR ADJACENT TO COASTAL WATERS.

Redevelopment of the Albany Port District property for active-marine dependent uses, fuller utilization of the petroleum terminals/tank farm area, and the creation of public access opportunities throughout the Rensselaer Riverfront are essential water-dependent uses identified in the City's "Riverfront Development Plan" (Figure 2).

The following uses and facilities are considered to be water dependent:

- 1. Uses which depend on the utilization of recreation found in coastal waters (for example: fishing, mining of sand and gravel);
- 2. Recreational activities which depend on access to coastal waters (for example: swimming, fishing, boating, wildlife viewing);
- 3. Uses involved in the sea/land transfer of goods (for example: docks, loading areas, pipelines, short-term storage facilities);
- 4. Structures needed for navigational purposes (for example: signals, lighthouses);
- 5. Flood and erosion protection structures (for example: breakwaters, bulkheads);

6. Facilities needed to store and service boats and ships (for example: marinas, boat repair, boat construction yards);
7. Uses that rely heavily on the waterborne transportation of raw materials or products which are difficult to transport on land, thereby making it critical that a site near to shipping facilities be obtained.
8. Uses which operate under such severe time constraints that proximity to shipping facilities becomes critical (for example: firms processing perishable foods);
9. Scientific/educational activities which, by their nature, require access to coastal waters (for example: certain meteorological and oceanographic activities); and
10. Support facilities which are necessary for the successful functioning of permitted water-dependent uses (for example: parking lots, snack bars, first aid stations, short-term storage facilities). Though these uses must be near the given water-dependent uses, they should as much as possible, be sited inland from the water-dependent use, rather than on the shore.

In addition to water-dependent uses, uses which are enhanced by a waterfront location should be encouraged to locate along the shore, though not at the expense of water-dependent uses. A water-enhanced use is defined as a use that has no critical dependence on obtaining a waterfront location, but the profitability of the use and/or the enjoyment level of the users would be increased significantly if the use were adjacent to, or had visual access to, the waterfront. A restaurant which uses good site design to take advantage of a waterfront view, and a golf course which incorporates the coastline into the course design, are two examples of water-enhanced uses.

If there is no immediate demand for a water-dependent use in a given area but a future demand is reasonably foreseeable, temporary non-water-dependent uses should be considered preferable to a non-water-dependent use which involves an irreversible, or nearly-irreversible commitment of land. Parking lots, passive recreational facilities, outdoor storage areas, or non-permanent structures are uses or facilities which would likely be considered as "temporary" non-water-dependent uses.

To facilitate development of these land uses, the City is committed to the following policy:

Policy 2A. Maintain all suitable industrial land within and contiguous to the Port lands, to provide a critical land mass for marine-dependent industrial development.

Policy 3.

FURTHER DEVELOP THE STATE'S MAJOR PORTS OF ALBANY, BUFFALO, NEW YORK, OGDENSBURG AND OSWEGO AS CENTERS OF COMMERCE AND INDUSTRY AND ENCOURAGE THE SITING, IN THESE PORT AREAS, INCLUDING THOSE UNDER THE JURISDICTION OF STATE PUBLIC AUTHORITIES, OF LAND USE AND DEVELOPMENT WHICH IS ESSENTIAL TO, OR IN SUPPORT OF, THE WATERBORNE TRANSPORTATION OF CARGO AND PEOPLE.

The aim of this policy is to support the major port agencies, such as the Albany Port District Commission, in efforts to promote the continued and increased vitality of major port areas. Three other development policies discussed in this section of the City's Local Waterfront Revitalization Program, also have significant implications for development of the Port at Albany-Rensselaer, namely: water dependency, concentration of development, and the expediting of permit reviews.

While the full development of the port and industrial area in Rensselaer for marine-dependent business, such as a possible container shipment facility, is encouraged, the residential character of nearby areas must be protected.

Policy 3A.

Require commitments to significant near term improvements in land (i.e., vehicular) access to the Port and industrial area prior to the approval of development actions which may result in increased truck and related traffic through the City's existing residential neighborhoods.

A program for implementing Policy 3A is discussed in detail in the City's adopted "Transportation Improvements Policy Statement" (1980). A copy of the statement is included as an Appendix to this LWRP.

If an action is proposed for a site within or abutting a major port, or if there is a reasonable expectation that a proposed action elsewhere would have an impact on a major port, then the following guidelines shall be used in determining consistency:

1. In assessing proposed projects within or abutting a major port, given that all other applicable policies are adhered to, the overriding consideration is the maintenance and enhancement of port activity; i.e., development related to waterborne transportation, which will have precedence over other, non-port-related activities.
2. Dredging to maintain the economic viability of major ports will be regarded as an action of regional or statewide public benefit if a clear need is shown for maintaining or improving the established alignment, width, and depth of

existing channels or for new channels essential to port activity; and, it can be demonstrated that environmental impacts would be acceptable according to State regulations governing the activity.

3. Landfill projects in the near-shore areas will be regarded as an acceptable activity within major port areas, provided adverse environmental impacts are acceptable under all applicable environmental regulation and a strong economic justification is demonstrated.
4. If non-port-related activities are proposed to be located in or near to a major port, these uses shall be sited so as not to interfere with normal port operations.
5. When not already restricted by existing laws or covenants, and when there is no other overriding regional or statewide public benefit for doing otherwise, surplus public land or facilities within or adjacent to a major port shall be offered for sale, in the first instance to the appropriate port authority.
6. In the programming of capital projects for port areas, highest priority will be given to projects that promote the development and use of the port. However, in determining such priorities, consideration must also be given to non-port-related interests within or near the ports that have demonstrated critical capital programming needs.
7. No buildings, piers, wharves, or vessels shall be abandoned or otherwise left unused by a public agency, or sold without making provisions for their maintenance in sound condition, or for their demolition or removal.
8. Proposals for the development of new major ports will be assessed in terms of the anticipated impact on: a) existing New York State major ports; b) existing modes of transportation; and c) the surrounding land uses and overall neighborhood character of the area in which the proposed port is to be located; and d) other valued coastal resources.
9. Port development shall provide opportunities for public access insofar as these opportunities do not interfere with the day-to-day operations of the port and the port authority, and its tenants do not incur unreasonable costs.

Policy 4. Not Applicable

Policy 5. ENCOURAGE THE LOCATION OF DEVELOPMENT IN AREAS WHERE PUBLIC SERVICES AND FACILITIES ESSENTIAL TO SUCH DEVELOPMENT ARE ADEQUATE.

Several policies are directed to the fuller utilization of existing public service and facility investments through the revitalization and fuller utilization of existing developed areas within its waterfront area. These include Policies 1A and 3A, recommending the redevelopment and fuller utilization of the Albany Port District property and related industrial lands in the south of the City; Policy 1D, recommending the revitalization of the Fort Crailo and Bath neighborhoods; Policy 1E, recommending the revitalization and infill development of Rensselaer Downtown; and Policy 1F, recommending the development of an open space/trail system throughout the City's coastal area, linking existing neighborhoods and new development sites. In addition, Policies 1B and 1C recommend redevelopment within the City's central and northern waterfront areas, respectively, where essential infrastructure and other support facilities are either available or readily extendable. Lastly, should development proceed on the North Greenbush Waterfront in accordance with the Town's LWRP, the City recommends in Policy 1G that proposed utilities be extended several hundred feet southward into the City of Rensselaer so that an office park component related to the Rensselaer Technology Park can be developed there.

Policy 6. Not included in the local program.*

FISH AND WILDLIFE POLICIES

Policy 7. Not applicable.

Policy 8. PROTECT FISH AND WILDLIFE RESOURCES IN THE COASTAL AREA FROM THE INTRODUCTION OF HAZARDOUS WASTES AND OTHER POLLUTANTS WHICH BIOACCUMULATE IN THE FOOD CHAIN OR WHICH CAUSE SIGNIFICANT SUBLETHAL OR LETHAL EFFECT ON THOSE RESOURCES.

Hazardous wastes are unwanted by-products of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law [27-0901.3] as "a waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may: (a) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or b) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed or otherwise managed". A list of hazardous wastes has been adopted by DEC (6 NYCRR Part 371).

In the City of Rensselaer, no solid or liquid wastes shall be discharged into any public sewer, private sewage disposal system, stream, or on or into the ground, except in strict accordance with the standards approved by the Rensselaer County Department of Health or other duly-empowered agency.

Policy 9: EXPAND RECREATIONAL USE OF FISH AND WILDLIFE RESOURCES IN COASTAL AREAS BY INCREASING ACCESS TO EXISTING RESOURCES, SUPPLEMENTING EXISTING STOCKS, AND DEVELOPING NEW RESOURCES. SUCH EFFORTS SHALL BE MADE IN A MANNER WHICH ENSURES THE PROTECTION OF RENEWABLE FISH AND WILDLIFE RESOURCES AND CONSIDERS OTHER ACTIVITIES DEPENDENT ON THEM.

The City's proposed Riverfront open space/trail system includes several opportunities for increased access to fish and wildlife resources within the coastal area. As detailed in Section IV, these include the development of a Port Overlook park and small boat launch immediately south of the Port District's turning basin, Phase 2 improvements to Rensselaer Riverfront Park, an improved small boat launch and mooring facilities in the north of the City within the Bath neighborhood, and the overall provision of a Riverfront trail system, as recommended by Policy 1F.

Recreational uses of coastal fish and wildlife resources include consumptive uses such as fishing, and non-consumptive uses such as wildlife photography, bird watching, and nature study. Any efforts to increase recreational use of these resources will be made in a manner which ensures the protection of fish and wildlife resources in freshwater coastal areas and which takes into consideration other activities dependent on these resources. Also, such efforts must be done in accordance with existing State law and in keeping with sound resource management considerations. Such considerations include biology of the species, carrying capacity of the resource, public demand, costs and available technology.

The following additional guideline should be considered by local, State and Federal agencies as they determine the consistency of their proposed action with the above policy: Consideration should be made by Federal, State and local agencies as to whether an action will impede existing or future utilization of the State's recreational fish and wildlife resources.

Policy 10. Not applicable.

FLOODING AND EROSION HAZARD POLICIES

Policy 11. BUILDINGS AND OTHER STRUCTURES WILL BE SITED IN THE COASTAL AREA SO AS TO MINIMIZE DAMAGE TO

PROPERTY AND THE ENDANGERING OF HUMAN LIVES
CAUSED BY FLOODING AND EROSION.

The provisions of the National Flood Insurance Program apply within the City's flood-prone areas, as identified and mapped by the Federal Insurance Administration. The following standards for land use and development activity within designated flood-prone areas are stated by the City's "Flood Damage Protection Ordinance" (March 1980):

"STRUCTURE OR USE IN THE FLOOD-FRIDGE AREAS. All uses within the Flood-Fridge (FF-O) Overlay District shall be reviewed for compliance with the following additional standards, as certified to by a registered architect or licensed professional engineer:

- a. All structures shall be designed and anchored to prevent flotation, collapse or lateral movement due to flood water related forces.
- b. All construction materials and utility equipment used shall be resistant to flood damage.
- c. Construction practices and methods shall be employed which minimize potential flood damage.
- d. All public utilities and facilities shall be located and constructed to minimize or eliminate potential flood damage.
- e. Adequate drainage shall be provided to reduce exposure to flood hazards.
- f. All water supply and sewage disposal systems shall be designed to minimize or eliminate flood water infiltration or discharges into the flood waters.
- g. All new residential construction or substantial improvements to residential structures shall have the lowest floor (including basement) elevated to at least one (1) foot above the water level of the one hundred (100) year flood.
- h. All new non-residential construction or substantial improvements to such non-residential structures shall have the lowest floor (including basement) elevated to at least one (1) foot above the water level of the one hundred (100) year flood or, as an alternative, be flood-proofed up to that same water level, including attendant utility and sanitary facilities.

- i. No use shall be permitted, including fill, dredging or excavation activity, unless the applicant has demonstrated that the proposed use, in combination with all other existing and anticipated uses, will not raise the water level of the one hundred (100) year flood more than one (1) foot at any point."

Policy 12. Not applicable.

Policy 13. THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES SHALL BE UNDERTAKEN ONLY IF THEY HAVE A REASONABLE PROBABILITY OF CONTROLLING EROSION FOR AT LEAST THIRTY (30) YEARS, AS DEMONSTRATED BY DESIGN AND CONSTRUCTION STANDARDS AND/OR ASSURED MAINTENANCE OR REPLACEMENT PROGRAMS.

Policy 13A. The construction of erosion control bulkheading, riprapping, sea wall construction or reconstruction, or piling installation including that necessary to maintain the navigable channel of the Hudson River and the Port turning basin, shall meet sound construction practices and procedures and be undertaken only if they have a reasonable probability of functioning as demonstrated in design and construction standards and/or assured maintenance or replacement programs.

A marine structure is any structure which, either directly or indirectly, interacts with marine or estuarine waters of the State of New York. Marine structures include but are not limited to docks, catwalks, ramps, floats, bulkheads, retaining walls, wave baffles, piers, piles, jetties, groins, buoys, sewage treatment plants, sewage outfalls, stationary or semi-permanent barges, and artificially-created marshes. An example of a structure which directly interacts with marine or estuarine waters would be a dock or floating dock. An example of a structure which indirectly interacts with marine or estuarine water would be a retaining wall above mean high water, which is in direct contact with marine or estuarine water only during storm events. The purpose of this policy is to ensure that such structures fulfill their intended function without any adverse environmental effects on or adjacent to the structure site, within the design life of the structure.

Standards for the construction and maintenance of marine structures can be found in the following publications:

1. Shore Protection Manual (U.S. Army Corps of Engineers);

2. Low-Cost Shore Protection (U.S. Army Corps of Engineers);
3. Coastal Structures Handbook Series (New York Sea Grant Institute);
4. Vegetation for Tidal Shoreline Stabilization in the Mid-Atlantic States (USDA/Soil Conservation Service);
5. Seawall and Revetment Effectiveness, Cost and Construction (Florida Sea Grant College, Report #6);
6. Compatibility of Borrow Material for Beach Fills (U. S. Army Corps of Engineers, CERC-TM-60, 1975) or (Dean R.G. in 14th Annual CEC pp. 1319-1333).

Policy 14. ACTIVITIES AND DEVELOPMENT, INCLUDING THE CONSTRUCTION OR RECONSTRUCTION OF EROSION PROTECTION STRUCTURES, SHALL BE UNDERTAKEN SO THAT THERE WILL BE NO MEASURABLE INCREASE IN EROSION OR FLOODING AT THE SITE OF SUCH ACTIVITIES OR DEVELOPMENT OR AT OTHER LOCATIONS IMPACTED BY SUCH ACTIVITIES OR DEVELOPMENT.

The City will apply fully the provisions of the National Flood Insurance Program in the review of activities and development within the City's flood-prone areas. Procedures and standards are detailed in the City's "Flood Damage Protection Ordinance." All development either within the Flood Fringe Overlay District or within one hundred (100) feet of the high water mark of the Hudson River is also subject to special permit review under the City's Zoning Law. Refer to Policy 11 for fuller discussion.

Policy 15. Not applicable.

Policy 16. PUBLIC FUNDS SHALL ONLY BE USED FOR EROSION PROTECTIVE STRUCTURES WHERE NECESSARY TO PROTECT HUMAN LIFE OR EXISTING DEVELOPMENT, AND FOR NEW DEVELOPMENT WHICH REQUIRES A LOCATION WITHIN OR ADJACENT TO AN EROSION HAZARD AREA TO BE ABLE TO FUNCTION; BUT ONLY WHERE THE PUBLIC BENEFITS OUTWEIGH THE LONG-TERM MONETARY AND OTHER COSTS, INCLUDING THE POTENTIAL FOR INCREASING EROSION AND ADVERSE EFFECTS ON NATURAL PROTECTIVE FEATURES.

Public funds are used for a variety of purposes on the State's shorelines. This policy recognizes the public need for the protection of human life and existing investment in development or new development which requires a location in proximity to the coastal area or in adjacent waters to be able to function. However, it also recognizes the adverse impacts of such activities and development on the rate of erosion and on natural

protective features, and requires that careful analysis be made of such benefits and long-term costs prior to expending public funds.

Policy 17.

WHENEVER POSSIBLE, USE NONSTRUCTURAL MEASURES TO MINIMIZE DAMAGE TO NATURAL RESOURCES AND PROPERTY FROM FLOODING AND EROSION. SUCH MEASURES SHALL INCLUDE THE FOLLOWING: (A) THE SET-BACK OF BUILDINGS AND STRUCTURES; (B) THE PLANTING OF VEGETATION AND THE INSTALLATION OF SAND FENCING AND DRAINAGE; (C) THE RESHAPING OF BLUFFS; AND (D) THE FLOOD-PROOFING OF BUILDINGS OR THEIR ELEVATION ABOVE THE BASE FLOOD LEVEL.

This policy recognizes both the potential adverse impacts of flooding and erosion upon development and upon natural protective features in the coastal area as well as the considerable costs of protection against those hazards which structural measures generally entail. This policy should, therefore, apply to the planning, design and siting of all proposed activities and development, including measures to protect existing activities and development.

As stated in the discussion of Policies 11 and 14, the "Flood Damage Protection Ordinance" and its site plan approval and subdivision review powers, will be utilized to ensure consistency with this policy. To ascertain consistency with the policy, it must be determined if any one, or a combination of, non-structural measures would afford the degree of protection appropriate both to the character and purpose of the activity or development, and to the hazard. If non-structural measures are determined to offer sufficient protection, then consistency with this policy would require the use of such measures, whenever possible. Further, the erosion hazard aspects of Policy 17, involving special erosion hazard areas delineated by NYSDEC, are not applicable to the City's LWRP.

GENERAL POLICY

Policy 18.

TO SAFEGUARD THE VITAL ECONOMIC, SOCIAL, AND ENVIRONMENTAL INTERESTS OF THE STATE AND ITS CITIZENS, PROPOSED MAJOR ACTIONS IN THE COASTAL AREA MUST GIVE FULL CONSIDERATION TO THOSE INTERESTS, AND TO THOSE SAFEGUARDS WHICH THE STATE HAS ESTABLISHED TO PROTECT VALUABLE COASTAL RESOURCE AREAS.

Proposed major actions within the coastal area should only be undertaken if they do not significantly impair valuable coastal waters and resources, and thus frustrate the achievement of the goals and safeguards the State has established to protect those

waters and resources. In particular, proposed actions should take into account the overall social, economic and environmental interests of the State and its citizens in matters that would affect natural resources, recreation, navigation, land transportation, and other factors. The City further maintains that any action occurring within the coastal area shall be reviewed under the State Environmental Quality Review (SEQR) procedure for consistency with coastal plans and policies.

PUBLIC ACCESS POLICIES

Policy 19. PROTECT, MAINTAIN AND INCREASE THE LEVELS AND TYPES OF ACCESS TO PUBLIC WATER-RELATED RECREATIONAL RESOURCES AND FACILITIES SO THAT THESE RESOURCES AND FACILITIES MAY BE FULLY UTILIZED BY ALL THE PUBLIC IN ACCORDANCE WITH REASONABLY-ANTICIPATED PUBLIC RECREATION NEEDS AND THE PROTECTION OF HISTORIC AND NATURAL RESOURCES. IN PROVIDING SUCH ACCESS, PRIORITY SHALL BE GIVEN TO PUBLIC BEACHES, BOATING FACILITIES, FISHING AREAS, AND WATERFRONT PARKS.

Water-related recreation resources and facilities considered priorities for improved access along Rensselaer's Hudson Riverfront include fishing areas and boating facilities, as discussed in Policy 9, active and passive parks, and, importantly, open space/trail linkages between these facilities to optimize the use of these resources. The City and other governmental agencies should remove existing barriers to access (both physical and institutional) and facilitate new opportunities and alternative modes of access, including pedestrian/bicyclist, vehicular and marine.)

Shoreline access shall be provided if the proposed office park development, supportive of the Rensselaer Technology Park, is constructed.

The following public access/recreational resource policies will be achieved within the City's coastal area:

Policy 19A. Develop a Port Area Overlook, including small boat launch, as a facility for passive and water-dependent active recreation and a perspective from which Port activities on both shores of the Hudson River might be viewed.

Policy 19B. Develop a Class 2 bikeway linking the Port Area Overlook through the Fort Crailo neighborhood and Central Business District to Riverfront Park at its proposed Downtown entrance.

- Policy 19C. Extend development of Riverfront Park to include proposed downtown entrance and expanded parking and recreational facilities.
- Policy 19D. Provide public access for continuation of the Riverfront open space trail system through the Central Riverfront, the School District property and the Amtrak property to its immediate north.
- Policy 19E. Acquire an interest in Amtrak's River-most property to permit development of overlooks and open unstructured recreational areas with district access to the beach-like shoreline at the location.
- Policy 19F. Extend the Riverfront trail through a redeveloped northern Riverfront area, including clustered housing and a waterfront restaurant with associated boat mooring and fishing pier at Bath.
- Policy 19G. Provide a northern focus for the City's Riverfront open space trail system by developing picnic areas and active recreational facilities, such as ball fields and tennis courts, on the RPI lands north of the Barnet Mills and extending to and beyond the Patroon Island Bridge.
- Policy 19H. Link the City's Riverfront open space system with further recreational amenities and development proposed in the Town of North Greenbush under its Local Waterfront Revitalization Program.

The following guidelines will be used in determining the consistency of a proposed action with this policy:

1. The existing access from adjacent or proximate public lands or facilities to public water-related recreation resources and facilities shall not be reduced, nor shall the possibility of increasing the access in the future from adjacent or proximate public lands or facilities to public water-related recreation resources and facilities be eliminated, unless in the latter cases estimates of future use of these resources and facilities are too low to justify maintaining or providing increased public access or unless such actions are found to be necessary or beneficial by the public body having jurisdiction over such access as the result of a reasonable justification of the need to meet systematic objectives.

2. Any proposed project to increase public access to public water-related recreation resources and facilities shall be analyzed according to the following factors:
 - a. The level of access to be provided should be in accordance with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.
 - b. The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource or facility. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.
3. The State will not undertake or fund any project which increases access to a water-related resource or facility that is not open to all members of the public.

Policy 20. ACCESS TO THE PUBLICLY-OWNED FORESHORE AND TO LANDS IMMEDIATELY ADJACENT TO THE FORESHORE OR THE WATER'S EDGE THAT ARE PUBLICLY OWNED SHALL BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES. SUCH LANDS SHALL BE RETAINED IN PUBLIC OWNERSHIP.

The concept of the Riverfront open space trail and the development of key access points from the developed community to this trail system (i.e. at the proposed Port Area Overlook, within the Fort Crailo neighborhood and Rensselaer Downtown at Riverfront park, at the Rensselaer Junior-Senior High School, at Bath and as an extension of the RPI Technology Park development) provides for a high level of linear and nodal public access to the foreshore for both City residents within and beyond the coastal area, as well as the users and occupants of new facilities which are recommended in Policies 1B, 1C and 1G, and detailed in the Section IV, "Proposed Land and Water Uses Plan."

While such publicly-owned lands referenced in the policy shall be retained in public ownership, traditional sales of easements on lands underwater to adjacent on-shore property owners are consistent with this policy, provided such easements do not substantially interfere with continued public use of the public lands on which the easement is granted. Also, public use of such publicly-owned underwater lands and lands immediately adjacent to the shore shall be discouraged where such use would be inappropriate for reasons of public safety, military security, or the protection of fragile coastal resources.

RECREATION POLICIES

Policy 21.

WATER-DEPENDENT AND WATER-ENHANCED RECREATION SHALL BE ENCOURAGED AND FACILITATED AND SHALL BE GIVEN PRIORITY OVER NON-WATER-RELATED USES ALONG THE COAST, PROVIDED SUCH RECREATION IS CONSISTENT WITH THE PRESERVATION AND ENHANCEMENT OF OTHER COASTAL RESOURCES AND TAKES INTO ACCOUNT DEMAND FOR SUCH FACILITIES. IN FACILITATING SUCH ACTIVITIES, PRIORITY SHALL BE GIVEN TO AREAS WHERE ACCESS TO THE RECREATION OPPORTUNITIES OF THE COAST CAN BE PROVIDED BY NEW OR EXISTING PUBLIC TRANSPORTATION SERVICES AND TO THESE AREAS WHERE THE USE OF THE SHORE IS SEVERELY RESTRICTED BY EXISTING DEVELOPMENT.

See discussion of Policy 19.

Policy 22.

DEVELOPMENT, WHEN LOCATED ADJACENT TO THE SHORE, SHALL PROVIDE FOR WATER-RELATED RECREATION, AS A MULTIPLE USE, WHENEVER SUCH RECREATIONAL USE IS APPROPRIATE IN LIGHT OF REASONABLY ANTICIPATED DEMAND FOR SUCH ACTIVITIES AND THE PRIMARY PURPOSE OF THE DEVELOPMENT.

Building upon the example set by the City's existing Riverfront Park, which has been made possible by the development of highway right-of-way lands for recreational purposes, multiple use of other sites for recreational purposes in accordance with local coastal management objectives and the illustrated "Proposed Land and Water Uses Plan" will be required. These opportunities have previously been identified within this LWRP as Policies 19A through 19H.

Developments often present practical opportunities for providing recreation facilities as an additional use of the site or facility. Therefore, whenever developments are located adjacent to the shore, they should, to the fullest extent permitted by existing law, provide for some form of water-related recreation use unless there are compelling reasons why any form of such recreation would not be compatible with the development, or a reasonable demand for public use cannot be foreseen.

The types of development which can generally provide water-related recreation as a multiple use include, but are not limited to the following: parks, highways, power plants, utility transmission rights of way, sewage treatment facilities, mental health facilities, hospitals, prisons, schools/universities, military facilities, nature preserves, large residential subdivisions, shopping center, and office buildings.

Prior to taking action relative to any development, consultation should occur with the State Office of Parks, Recreation, and Historic Preservation, and if there is an approved local waterfront program with the municipality in which the development is to locate, to determine appropriate recreation uses. The agency should provide OPRHP and the municipality the opportunity to participate in project planning.

The siting or design of new public development in a manner which would result in a barrier to the recreational use of a major portion of a community's shore should be avoided as much as practicable.

Among the types of water-dependent recreation, provision of adequate boating services to meet future demand is to be encouraged by this Program. The siting of boating facilities must be consistent with preservation and enhancement of other coastal resources and with their capacity to accommodate demand. The provision of new public boating facilities is essential in meeting this demand, but such public actions should avoid competition with private boating development. Boating facilities will, as appropriate, include parking, park-like surroundings, toilet facilities, and pump-out facilities.

HISTORIC AND SCENIC RESOURCES POLICIES

POLICY 23. PROTECT, ENHANCE AND RESTORE STRUCTURES, DISTRICTS, AREAS OR SITES THAT ARE OF SIGNIFICANCE IN THE HISTORY, ARCHITECTURE, ARCHEOLOGY, OR CULTURE OF THE STATE, ITS COMMUNITIES, OR THE NATION.

As revitalization occurs within the City's business district, and in the Fort Crailo and Bath neighborhoods (see Policies 1D and 1E respectively), suitable rehabilitation standards, as detailed in the City's Riverfront Development Plan, shall be followed and enforced through protective zoning controls and the pursuit of potential National Register designation of one or more of these areas, so that these resources are recognized, maintained and enhanced.

The structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities, or the Nation comprise the following resources:

1. A resource on, nominated to be on, or determined eligible to be on the National or State Registers of Historic Places. Within the City, National Register properties include Fort Crailo and the Aiken House within the Fort Crailo Neighborhood, and the Patroon Agent's House at Bath.

Additionally proposed for nomination to the National Register are the Fort Crailo and Bath neighborhoods.

2. A local landmark, park, or locally-designated historic district that is located within the boundary of an approved local waterfront revitalization program. Currently, the Fort Crailo and Bath neighborhoods fall within this locally-designated resource category.
3. An archeological resource which is on the State Department of Education's inventory of archeological sites.

The City's Zoning Law has designated the Fort Crailo and Bath neighborhoods within the Historic Residential and Historic Commercial zoning districts. Article IV(H) of the Zoning Law specifically provides for detailed project review and the issuance by the Planning Board of a Certificate of Appropriateness "before any improvements are made on any public or private property or public place within the Historic Residential and Historic Commercial districts."

Standards which guide the Planning Board in its consideration of a Certificate of Appropriateness are the following:

- a. Historical or architectural significance of the structure.
- b. Relationship to the historical value of the surrounding area.
- c. General compatibility of exterior design, arrangement, texture and materials proposed to be used.
- d. Other factors, including aesthetic, deemed pertinent.

The standards included within the Zoning Law only apply to exterior features and not to the consideration of interior arrangements, except when either public buildings or public funding are involved.

In addition, in its rehabilitation assistance efforts the City has applied, and will continue to apply, the Secretary of the Interior's rehabilitation standards.

Given the possibility of archeologically significant sites within the waterfront area, public agencies shall contact the N.Y.S. Office of Parks, Recreation, and Historic Preservation to determine appropriate protective measures to be incorporated into the development decisions.

Policy 24. Not applicable.

Policy 25.

PROTECT, RESTORE AND ENHANCE NATURAL AND MAN-MADE RESOURCES WHICH ARE NOT IDENTIFIED AS BEING OF STATEWIDE SIGNIFICANCE BUT WHICH CONTRIBUTE TO THE SCENIC QUALITY OF THE COASTAL AREA.

When considering a proposed action, reasonable steps shall be taken to protect, restore or enhance the overall scenic quality of the coastal area through sensitive siting and design guidelines and appropriate land use and development review processes. Emphasis will be placed by the City both on the removal of existing elements which degrade the coastal area, such as billboards, and the addition of elements which would enhance the coastal area's scenic quality. Among significant local resources are the historic resources discussed under Policy 23, and such natural features as views to, from, and across the waterfront, open land areas along the waterfront, and the considerable vegetation that has become naturally established within the City's coastal area.

The City prohibits the erection of new billboards and other off-site advertising signs, requires the five-year amortization of billboards, requires the removal upon notice of obsolete signage, establishes appropriately urban-scale square footage and locational requirements for business signage, includes standards for such site characteristics as lighting, landscaping, and screening, and in historic areas (i.e., Historic Residential District and Historic Commercial District) requires "certificate of appropriateness" provisions and standards earlier discussed under Policy 23.

AGRICULTURAL LANDS POLICY

Policy 26. Not applicable.

ENERGY AND ICE MANAGEMENT POLICIES

Policy 27. Not included in the local program.*

Policy 28. Not applicable.*

Policy 29. Not included in the local program.*

WATER AND AIR RESOURCES POLICIES

Policy 30. Not included in the local program.*

Policy 31. STATE COASTAL AREA POLICIES AND PURPOSES OF APPROVED LOCAL WATERFRONT REVITALIZATION PROGRAMS WILL BE CONSIDERED WHILE REVIEWING COASTAL WATER CLASSIFICATIONS AND WHILE MODIFYING WATER QUALITY

STANDARDS; HOWEVER, THOSE WATERS ALREADY
OVERBURDENED WITH CONTAMINANTS WILL BE RECOGNIZED
AS BEING A DEVELOPMENT CONSTRAINT.

The State has classified its coastal and other waters in accordance with considerations of best usage in the interest of the public and has adopted water quality standards for each class of waters. These standards and classifications are periodically reviewed for possible revision or amendment, with the requirement stated by this policy that coastal management policies be clearly factored into this review process. The City encourages the State to set as its objective the undertaking of water quality improvement measures to permit the ultimate upgrading of the Hudson River from "C" to "B", thus providing for increased recreational use, such as swimming.

Policy 32. Not applicable.

Policy 33. BEST MANAGEMENT PRACTICES WILL BE USED TO ENSURE
THE CONTROL OF STORMWATER RUNOFF AND COMBINED
SEWER OVERFLOWS DRAINING INTO COASTAL WATERS.

Structural approaches to controlling stormwater runoff (construction of retention and detention basins) and combined sewer overflows (e.g., replacement of all elements of a combined system with separate sanitary and stormwater collection systems) are not presently economically feasible. Until considerably more affordable technology is developed, nonstructural approaches (e.g., improved site drainage design for new development, improved street cleaning, reduced use of road salt) will be techniques encouraged by the City for both its own and private sector implementation.

Policy 34. DISCHARGE OF WASTE MATERIALS FROM VESSELS INTO
COASTAL WATERS WILL BE LIMITED SO AS TO PROTECT
SIGNIFICANT FISH AND WILDLIFE HABITATS,
RECREATIONAL AREAS AND WATER SUPPLY AREAS.

The discharge of sewage, garbage, rubbish, and other solid and liquid materials from watercraft and marinas into the State's waters is regulated pursuant to Section 38C-C of the Navigation Law. Priority will be given to the enforcement of this Law in areas such as shellfish beds and other significant habitats, beaches, and public water supply intakes, which need protection from contamination by vessel wastes. Also, specific effluent standards for marine toilets have been promulgated by the Department of Environmental Conservation (6 NYCRR, Part 657).

Consistent with this policy, any new or significantly expanded marina or boat club development should be provided with adequate pump-out facilities for marine craft.

Policy 35.

DREDGING AND DREDGE SPOIL DISPOSAL IN COASTAL WATERS WILL BE UNDERTAKEN IN A MANNER THAT MEETS EXISTING STATE DREDGING PERMIT REQUIREMENTS, AND PROTECTS SIGNIFICANT FISH AND WILDLIFE HABITATS, SCENIC RESOURCES, NATURAL PROTECTIVE FEATURES, IMPORTANT AGRICULTURAL LANDS, AND WETLANDS.

Dredging often proves to be an essential activity to accommodate waterfront revitalization and development, maintaining navigation channels and dockside berths at sufficient depth, for pollutant removal and the meeting of other coastal management needs. Such dredging projects, however, may adversely affect water quality, fish and wildlife habitats, wetlands, and other important coastal resources. Frequently, these adverse effects can be mitigated through both careful design and timing of the dredging operation and proper locational siting of the dredge spoil disposal site. Dredging permits will be granted if it has been satisfactorily demonstrated that any anticipated adverse effects have been sufficiently reduced, or eliminated, to satisfy State dredging permit standards, as set forth in regulations developed pursuant to Articles 15, 24, and 35 of the Environmental Conservation Law and applicable State Coastal Management policies.

Any dredge spoil disposal sites should be compatible with the LWRP and, if located within the City, involve spoil material of a nature and bearing capability that is fully consistent with both applicable health and safety standards and the intended long-term land use of the disposal site, as identified in Section IV, "Proposed Land and Water Uses."

Potential disposal sites identified by the Army Corps of Engineers in its January 1983 "FEIS on Hudson River Federal Channel Maintenance Dredging" are C5-15, the waterfront fringe of the Amtrak turbotrain maintenance facility site, and C5-23, generally the former gravel removal/processing site immediately north of the Patroon Island Bridge. Each is designated a "new site for clean material only." While disposal at C5-15 appears incompatible with the "Proposed Land and Water Use Plan," disposal of suitable clean material at C5-23, which is proposed for recreational use, may significantly advance intended LWRP implementation at that site and should be further examined by the City and the Army Corps of Engineers.

Policy 36.

ACTIVITIES RELATED TO THE SHIPMENT AND STORAGE OF PETROLEUM AND OTHER HAZARDOUS MATERIALS WILL BE CONDUCTED IN A MANNER THAT WILL PREVENT, OR AT LEAST MINIMIZE SPILLS INTO COASTAL WATERS; ALL PRACTICABLE EFFORTS WILL BE UNDERTAKEN TO EXPEDITE THE CLEANUP OF SUCH DISCHARGES AND RESTITUTION FOR DAMAGES WILL BE REQUIRED WHEN THESE SPILLS OCCUR.

The transport of petroleum and other products should be discouraged through residential areas, as previously discussed in Policy 3A, particularly should desired expansion of activity within the Rensselaer Port Facility occur, and alternate routes developed for such transport.

Policy 37. BEST MANAGEMENT PRACTICES WILL BE UTILIZED TO MINIMIZE THE NON-POINT DISCHARGE OF EXCESS NUTRIENTS, ORGANICS AND ERODED SOILS INTO COASTAL WATERS.

Best management practices used to reduce non-point sources of pollution could include, but are not limited to, restrictions of use of pesticides and chemical fertilizers, soil erosion control practices, and effective surface drainage control techniques. Effective review for erosion control and surface drainage, both during construction periods and during project occupancy, is in effect for commercial, industrial and multi-family residential developments, and for all other development activities, including fill and excavation, within the designated flood plain areas, which encompass most of the City's waterfront area.

This review includes, but is not limited to, the scheduling and staging of excavation activities; configuration of the proposed final contours; adequacy of storm drainage facilities; adequacy of sewage disposal facilities; retention of existing vegetation; and the incorporation of proposed vegetation (turf, ground covers, shrubs, and trees). The standard applied by the City in its review is that drainage must be fully accommodated under the conditions of a "20-year storm."

Policy 38. Not included in the local program.*

Policy 39. THE TRANSPORT, STORAGE, TREATMENT AND DISPOSAL OF SOLID WASTES, PARTICULARLY HAZARDOUS WASTES, WITHIN COASTAL AREAS WILL BE CONDUCTED IN SUCH A MANNER SO AS TO PROTECT GROUNDWATER AND SURFACE WATER SUPPLIES, SIGNIFICANT FISH AND WILDLIFE HABITATS, RECREATION AREAS, IMPORTANT LAND AND SCENIC RESOURCES.

Policy 39 is wholly regulated by State and Federal Agencies.

The definitions of terms "solid wastes" and "solid wastes management facilities" are taken from New York's Solid Waste Management Act (Environmental Conservation Law, Article 27). Solid wastes include sludges from air or water pollution control facilities, demolition and construction debris, and industrial and commercial wastes.

Hazardous wastes are unwanted by-products of manufacturing processes generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law (Section 27-0901.3) as "a waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may: (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed or otherwise managed." 6 NYCRR Part 371 lists hazardous wastes.

Examples of solid waste management facilities include resource recovery facilities, sanitary landfills and solid waste reduction facilities. Although a fundamental problem associated with the disposal and treatment of solid waste is the contamination of water resources, other related problems may include: filling of wetlands and littoral areas, atmospheric loading, and degradation of scenic resources.

Particular attention should be given to the proximity of residential neighborhoods (e.g., the Fort Crailo neighborhood) to many of the City's industrial areas where solid and hazardous wastes either are, or have been, transported, stored, treated, and disposed. Careful cleanup of any existing disposal sites that are located within the coastal area should be pursued and no new disposal sites created by either private or public entities due to the environmental sensitivity of the waterfront and the urban population concentrations located nearby.

Solid and hazardous waste dumping is not permitted within the LWRP boundary, nor is the creation of new disposal sites.

- Policy 40. Not included in the local program.*
- Policy 41. Not included in the local program.*
- Policy 42. Not included in the local program.*
- Policy 43. Not included in the local program.*
- Policy 44. PRESERVE AND PROTECT TIDAL AND FRESHWATER WETLANDS AND PRESERVE THE BENEFITS DERIVED FROM THESE LAND AREAS.

No tidal wetland areas within the City have been delineated on the Department of Environmental Conservation's Tidal Wetlands Inventory map because the Tidal Wetlands Program does not apply north of the Tappan Zee Bridge. One freshwater wetland, designated D-103, is located east of the petroleum tank farms in

the southern extreme of the City's coastal area. This site is less than 12.4 acres, and is not a State regulated freshwater wetland.

Any development activity proposed within one hundred (100) feet of the boundary of a freshwater wetland is subject to special permit review and approval by the City's Planning Commission, with DEC Freshwater Wetlands standards locally applied.

- * Federal agencies should refer to the State Coastal Management Program and Final Environmental Impact Statement for the text of policies not included in Rensselaer's Local Waterfront Revitalization Program.

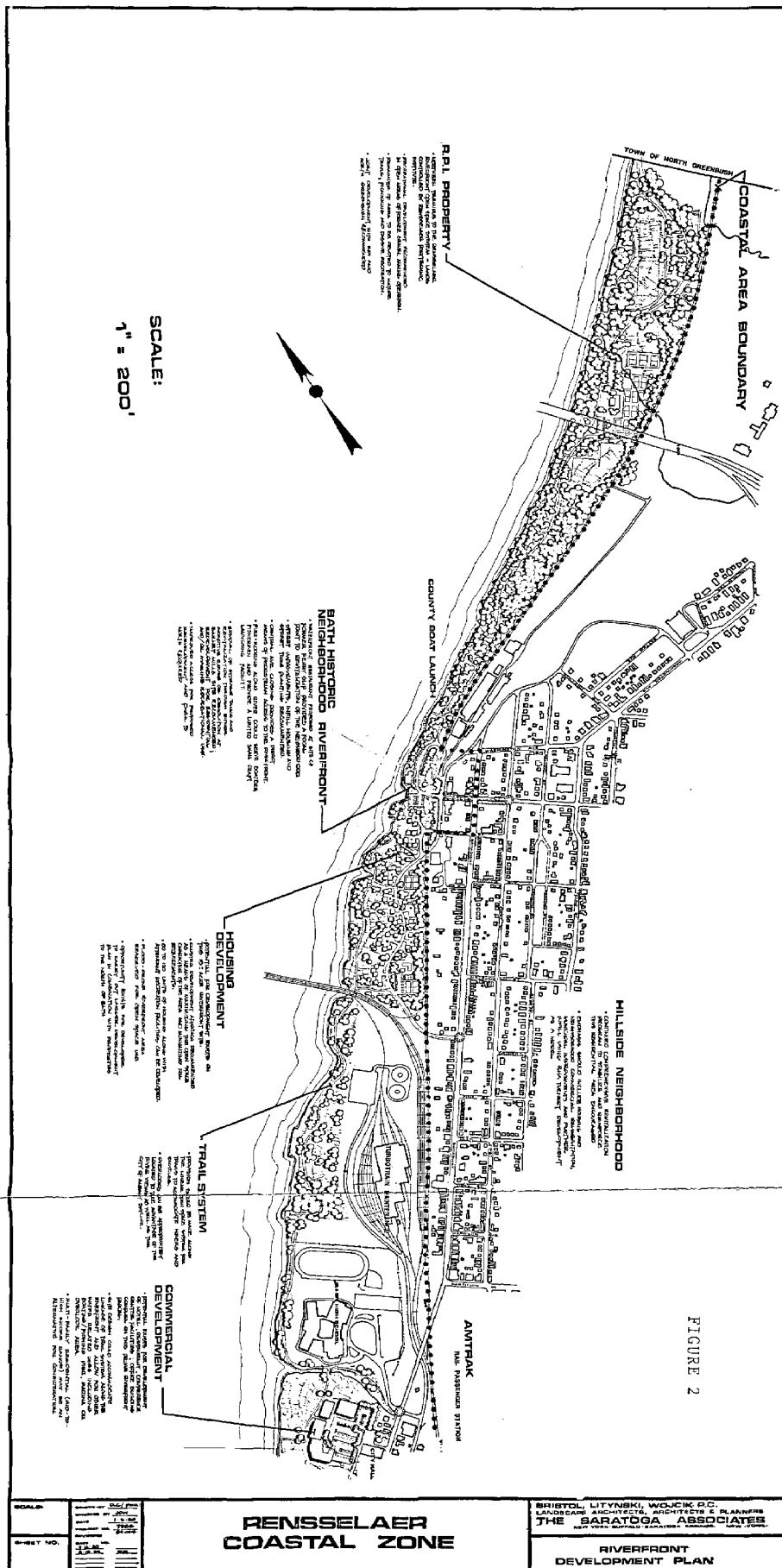
SECTION IV
PROPOSED LAND AND WATER USES AND PROPOSED PROJECTS

A significant component in the City's Local Waterfront Revitalization Program is the recommendation of specific proposed uses and projects, both public and private, within the coastal area. Evaluation of the natural and man-made resources inventory, review of waterfront conditions and potentials, and discussion of applicable State and local policies have served as the basis for determining proposed uses, and in most cases, preferred projects for the City's extensive waterfront.

PROPOSED LAND AND WATER USES

As illustrated by Figure 2, "Riverfront Development Plan," a highly-coordinated land use plan for the City's coastal area and immediately adjacent lands has evolved through several years of discussion within the community. This discussion began in early 1976 with the review of preservation and development alternatives for some 16 "opportunity areas" within the City (14 of which are encompassed within the Waterfront Revitalization Program area) in the Public Policy Guide and later was presented as a detailed physical land use/site development plan (Figure 2).

Proposed land and water uses recommended by this LWRP are first summarized by Table 1, and then described in more extensive text. Table 1 presents from south to north along the Rensselaer Riverfront (1) a description of the principal land areas within the City's coastal boundary; (2) identification of current land use; (3) a recommendation of preferred long-term land use for that land area; and (4) an indication of the basic developmental action(s) required to achieve the recommended land use. These required development actions serve as the framework for the later discussion of "Proposed Public and Private Projects."



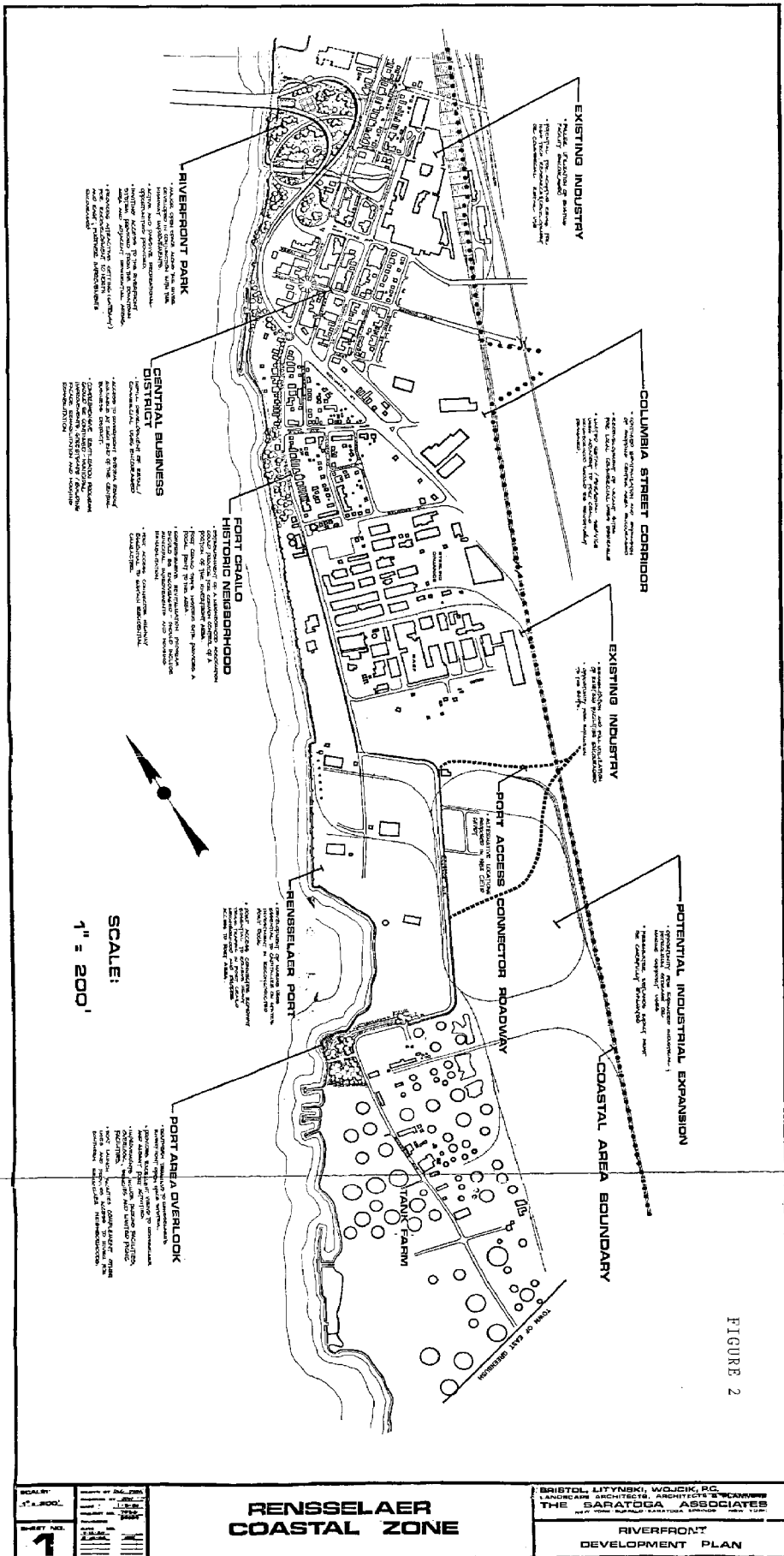


FIGURE 2

TABLE 1.
RIVERFRONT LAND AND WATER USE SUMMARY

<u>Coastal Area</u>	<u>Current Land Use</u>	<u>Recommended Long-Term Land Use</u>	<u>Required Developmental Actions</u>
Petroleum terminals/ Tank Farm Area	Petroleum terminal	Marine-dependent Petroleum terminals	Maintenance and continued use of existing facilities
Albany Port District	Reconstructed port dock with limited marine use and un- utilized storage buildings.	Active marine- dependent port area	Marketing and development of Port facility and Port area overlook
Port-related lands	Vacant lands	Marine support services and expanded light industry	Marketing and development of lands
BASF/Sterling Organics	Light-industry (Chemical manu- facture)	Light-industry	Maintenance and rehabilitation/ intensification of use of existing faci- lities, includ- ing potential for marine dependency
Fort Crailo Neighborhood	Residential	Residential and associated open space/recreational use	Maintenance and rehabilitation
Columbia Street Corridor	Shopping center, various highway commercial uses and vacant lands	Shopping center, upgraded highway commercial and local commercial uses	Maintenance and rehabilitation/ redevelopment of vacant sites
Central Business District	Local and whole- sale commercial, residential	Local commercial and residential	Maintenance and rehabilitation/ upgrading of existing uses/ infill develop- ment of vacant sites.

Riverfront Park	Active and passive recreation through joint use of highway right-of-way	Active and passive recreation	Maintenance and development of expanded facilities
Zappala Property	Concrete block manufacturing	Hotel/conference center retail business/office complex, multi-family housing	Marketing and redevelopment of lands
Huyck Felt Company	Light manufacturing, research and development use	Light manufacturing high tech./research and development use, or possible retail-commercial	Maintenance and intensification of use or marketing and adaptive reuse
City Hall	Municipal offices	Continuing municipal use or extension of uses developed on Zappala or Huyck lands	Marketing and adaptive reuse
Rensselaer City School District property	Junior-Senior High School including associated recreational facilities	School including associated recreational facilities/Riverfront trail use	Maintenance/public access for Riverfront trail
AMTRAK Passenger Terminal (Albany/Rensselaer)	Railroad passenger terminal and associated parking and commissary facilities	Railroad passenger terminal and associated facilities (possible high-speed service)	Maintenance/expansion access for Riverfront trail
AMTRAK Property	Turbotrain maintenance and vacant Riverfront lands	Turbotrain maintenance facility and open space/recreational Riverfront use	Maintenance/easement of public access and Riverfront open space development
Lands north of Livingston Avenue Railroad Bridge	Vacant lands	Residential and open space/recreational Riverfront use	Marketing and development of lands/easement for public access and Riverfront open

			space develop- ment
Bath Neighborhood	Residential, com- mercial, light industrial and vacant lands	Residential and marine commercial	Maintenance and rehabilitation/ infill develop- ment and adapt- ive reuse
Oil storage tanks/ former water plant site	Storage tanks and vacant lands	Residential and marine commercial/ recreational	Marketing and development of lands/removal of storage tanks
Barnet Mills complex	Light industry, warehousing and vacant buildings and lands	Residential and marine commercial	Marketing and development of lands/possible adaptive reuse potential, though demoli- tion more likely
RPI Property	Vacant lands	Open space/ recreational Riverfront use/Office park extension of Rensselaer Technology Park	Recreational/ open space development in partner- ship with with RPI and Town of North Green- bush

Petroleum Terminals/Tank Farm Area. This southernmost extent of Rensselaer's coastal area is utilized for petroleum terminal and storage facilities, occupied by more than a half-dozen oil companies, both regional and national. Some expansion has taken place in recent years, with two new oil-loading piers constructed.

The long-term recommended use of this area is industrial, i.e., continued marine-dependent petroleum and chemical storage. A major constraint to any intensification of use within the existing terminal areas or on contiguous properties (see later discussion of Port District and BASF lands) is the potential for the further growth of truck traffic. Currently, truck traffic has to access the Port area through either Teller's Crossing, a dangerous at-grade crossing of a high-speed passenger rail line, or, as allowed during daylight hours, via Riverside Avenue through the historic Fort Crailo residential neighborhood. Future development should be coordinated with the construction of a new Port Access Road which would be designed to channel traffic safely and efficiently from the Riverfront to Route 9J and thence to Routes 9 and 20. No impacts on Routes 9J, 9, and 20 are anticipated, since the general level of activity in the proximity of these routes is not proposed to change. Proposed redevelopment will be limited to the rehabilitation of existing structures to eliminate code violations.

At the northern edge of the Tank Farm area along Riverside Avenue, a Port Area Overlook, including a small boat launch, has been suggested. This facility would be developed near the existing turning basin, and provide both a passive and limited active recreational opportunity and a perspective from which Port activities on both shores of the Hudson River might be observed.

Albany Port District Lands. Lands comprising approximately 35 acres are owned within the City of Rensselaer by the Albany Port District. Despite the recent installation of a new concrete dock at a cost of \$2.2 million, funded through an appropriation by the New York State Legislature, the facility remains largely unutilized, except for the occasional off-loading of scrap metal and the storage of petroleum products by a chemical company with a local operation. However, recently United Brands has proposed locating on the Rensselaer Port lands a container operation for the importation of bananas, which will utilize approximately 30 acres. The facility is served by road and rail sidings from the nearby Conrail mainline. Adequate water and sewer service is also available near the Port District property boundary. The near-dock areas of the site are composed of man-made fill material, and would have to be reinforced to accommodate large cranes or other heavy loading equipment.

In a recent comprehensive study of future Port development, the Capital District Regional Planning Commission proposed locating a

container barge feeder service designed to serve regional demand (on the Rensselaer Port lands). This proposal has grown more specific, with plans and funding discussed for the installation of two large cranes, one stationary and one mobile, as part of such a container barge feeder operation. In addition, a Port Development Study is currently underway, investigating short term uses of Port lands.

The long-term recommended industrial use of this property, i.e., the development of marine-dependent businesses such as the proposed container operation, is vital to both the overall economic health of the City and to recapture through City/regional benefit the State's dock investment, particularly since by law the City of Rensselaer is financially liable for 12.11% of the Albany Port District's annual deficit. The City of Albany is responsible for the remaining 87.89%.

As in the case of the previously-discussed Tank Farm areas, a recognized drawback to attracting and sustaining further development of the Port District property is the inadequacy of truck access. In order to fully exploit the Port's potential, marketing and feasibility studies need to be pursued, and the Port Access Road needs to be constructed. As a result of the electorate's passage of the State's 1983 infrastructure bond issue, roadway design by NYSDOT and construction is nearing realization. The Route 9J and Port Access Road Projects are scheduled for completion later this decade.

Other Port-Related Lands. Considerable unutilized land owned by the German-based chemical company, BASF Wyandotte, a major employer in the City, and various private oil company landowners, lies near the tank farm and Port District properties. Services to these lands is similar; i.e., Riverside Avenue provides automobile and truck access, rail sidings are present, and water and sewer facilities are available.

The largest tract, an approximately 30-acre site owned by BASF, may be physically divided by acquisition of right-of-way and construction of the proposed Port Access Road. Access from BASF to the lands that will lie to the south of the proposed road is, however, being provided for in the engineering design. Unless full utilization by BASF is programmed, this well-situated tract should be made available for development by other commercial/industrial interests, specifically for marine-support services and expanded light industry.

As in the case of the Port District lands, both the development of the connector roadway and an intensive marketing effort are necessary if this proposed industrial land use is to be achieved.

BASF/Sterling Organics Industrial Area. BASF-Wyandotte and Sterling Organics are two nationally-known chemical and

pharmaceutical companies whose established Rensselaer manufacturing operations occupy sizable acreage between the Port District lands and the Fort Crailo neighborhood. These manufacturing firms are the largest industrial employers in the City, and although each plant has experienced some reduction in local work force during the past decade, both evidence a long-term commitment to maintain and improve their plants and stay in Rensselaer.

It is the City's policy to continue this industrial land use and to work closely with both companies to encourage continuing maintenance and further investment in, and development of, facilities with the various financial tools and incentives at its disposal. In fact, a marketing effort to promote similar light industry on other suitable land needs to be made.

Fort Crailo Historic Residential Neighborhood. This residential area is roughly triangular, bounded by the Hudson River, Columbia Street (Routes 9 and 20) and Rensselaer Avenue/Belmore Place. The Fort Crailo area is an older residential neighborhood, with two important historic structures located within its geography. These are Fort Crailo, operated by the NYS Office of Parks, Recreation and Historic Preservation as a historic museum; and the Aiken House, a private residence which is also listed on the National Register of Historic Places. Along the east side of Riverside Avenue a narrow strip of open land, most privately-owned with some owned by the State and County Sewer District, offers a clear view of the Hudson River. Several limited businesses and professional offices are located within the Fort Crailo area, particularly near the intersection of Broadway and Columbia Streets. Coyne Field, a major City-wide recreational facility, is also located here. The entire neighborhood lies within the City's designated flood plain.

The recommended overall policy for the neighborhood is the maintenance of residential land use, the rehabilitation of housing stock and the preservation and enhancement of associated open space, including both the Hudson Riverfront and Coyne Field. The lands immediately bordering the south side of Columbia Street between Aiken Avenue and Academy Street have recently been rezoned to permit limited commercial uses, provided there is established adequate buffering for adjacent residential uses. As previously noted, the construction of the Port Access Road will eliminate through truck traffic in the Fort Crailo neighborhood and is essential to the neighborhood's long-term upgrading.

Columbia Street (State Routes 9 and 20) Corridor. This area, adjacent to the City's downtown business district and likewise falling within the designated flood plain, is the major retail shopping and commercial district in Rensselaer. The principal businesses located here are a large independent department store (Joy's) with an associated toy/garden supplies store, and a

national building materials supply store (Grossman's). These are located north of Columbia Street at Aiken Avenue. Along the north side of Columbia Street (a major arterial recently reconstructed by NYSDOT) are a variety of retail establishments, gas stations, and a used car lot. To the east is a vacant 3-acre parcel formerly occupied by a trucking terminal and a small manufacturing plant. The area is adequately served by water and sewer, with several suitable commercial redevelopment sites available.

As previously discussed, lands along the south side of Columbia Street, between Aiken Avenue and Academy Street, have recently been rezoned to permit limited commercial development within this vacant strip. Some parcels have already been developed, with adequate buffering and fencing installed.

The main shopping area at the intersection of Aiken Avenue and Columbia Street until recently exhibited a chaotic and potentially dangerous traffic/circulation problem marked by pedestrian and vehicular conflict. Perimeter access improvements were made by NYSDOT as part of the Columbia Street reconstruction project. More recently significant improvements in the form of curb islands and barriers to define travel lanes have been made to the sites of an existing department store and adjacent building supplies store. These actions addressed the majority of the traffic problem.

The recommended City policy with respect to the Columbia Street corridor is reinforcement of the commercial land use pattern through upgrading of the existing shopping center area and commercial redevelopment of vacant parcels. All development shall be undertaken in a manner compatible with adjacent residential and commercial development and fully consistent with coastal policies and the City's land use and development regulations. Where proposed development will compete and/or be incompatible with existing residential land use, adequate buffering and fencing will be installed.

Downtown Business District. Most of the commercial activity within the downtown business district (CBD) is concentrated along Broadway from Columbia Street northward to Third Avenue. Washington Street, paralleling Broadway to the east, and the cross streets also contain commercial uses, but in lower concentrations, with residential structures interspersed. East of Washington Street, residential structures predominate.

Broadway and Washington Street provide the primary north-south vehicular access through the area. Third Avenue, which connects with an on-ramp to the Dunn Memorial Bridge to Albany, serves along with Columbia Street, as a major east-west connector. Most of the CBD area is well provided with water and sewer connections; some service deficiencies are found along the south

side of Columbia Street, where previously-existing service mains and laterals were removed during NYSDOT construction.

Some structures in the area are vacant, with others in need of substantial rehabilitation. Due to fire and demolition, a number of vacant sites suitable for commercial and mixed commercial/residential infill development are also present. The CBD has, however, as part of the City's Small Cities Community Development Block Grant program, experienced a renewal effort over the past three to four years. Residential rehabilitation, commercial facade improvements, street resurfacing, street tree planting, and sidewalk replacement activities all have occurred through a cooperative private/public effort.

The City's recommended policy for the CBD continues to be encouragement of the continued maintenance and rehabilitation of structures and public improvements and the location of infill development on now-vacant sites. Creation of a downtown park or square as a focal point for shoppers and development of a community center in the former Fort Crailo School, which was closed in June 1984 due to declining enrollment, are among proposed land uses suggested. Also, a twenty-four hour walk-in primary health care center located on Broadway is planned in part due to a Community Development Block Grant.

Riverfront Park. Riverfront Park is the City's major recreational facility and occupies several acres located just north of the CBD between Broadway and the Hudson River. Lying in the vicinity of the Dunn Memorial Bridge access ramps and bisected by Mill Creek, this facility developed out of an innovative joint multiple-use of highway right-of-way agreement entered into between the NYS Department of Transportation and the City. Phase I of the Riverfront Park development was completed in Spring 1980 at an approximate cost of \$315,000. Facilities include tennis courts, which can be flooded for ice skating in winter, basketball courts, recreational lighting and picnic sites. Passive recreational opportunities are provided by walking/bicycle paths, sitting areas, a fishing platform, and landscaped areas throughout the balance of the park.

The policy encouraged by the City for this area is continued recreational use and further facility development. Included is a proposal to extend walking/bicycle paths to the north and south combined with the park to anchor the City's proposed Riverfront open space system, with improvements including a pedestrian-scale bridge over Mill Creek. The City's Riverfront Development Plan additionally recommends adding restrooms and a tot lot, a pavilion with the picnic area, a strengthened access point, or gateway at the Broadway/Third Avenue intersection, and additional off-street parking to fully capitalize on the recreational opportunity present here.

Zappala Property. North of the Riverfront Park lies a 13-acre parcel of Riverfront property owned by Zappala Block Company, Inc., and currently used for the manufacture, storage and sale of concrete blocks and related masonry products, an existing non-conforming use of the property "grandfathered" under the City's Zoning Law.

Recommended long-term policy views this land as prime real estate for redevelopment of a higher and improved use. Viable alternative uses, each considerably more consistent with local coastal management objectives than the established use, would be hotel/restaurant/conference facilities, a retail shop/office complex, mid- to high-rise housing, or some combination of these uses within a wholly-planned mixed-use development. Various developers have in recent years expressed interest in this parcel, either singularly or as part of a considerably larger tract and development opportunity that might additionally encompass the present City Hall and the now mostly-vacant Huyck Mills facility to the east. Consistent with the City's state public access objectives, easements should be obtained to extend a pedestrian/bicycle trail northward from Riverfront Park through this parcel, and other waterfront-related uses of the site would be encouraged. Specific marketing and feasibility studies would be a key first step in the redevelopment process for this property, together with the full use of all technical, financial, and development coordination measures available to the City. Any redevelopment of the Zappala property will be in compliance with national flood insurance and management regulations.

City Hall and Huyck Mills Properties. Rensselaer City Hall, situated on Broadway to the east of the Zappala property, is housed in an old factory building in need of rehabilitation and very inefficient both spatially and in terms of energy consumption. The City has been interested for some time in the relocation of municipal offices to a more appropriate facility and would be prepared to negotiate with a prospective developer if the existing City Hall building and/or site could be reused for commercial or related purposes of long-term benefit to the City. In such case, the most logical building reuse or site redevelopment would be in conjunction with either the adjacent Zappala lands or the nearby Huyck Mills property.

Huyck Mills, located to the east of City Hall along Washington Street, once was the home of a major textile/felt operation and a major City employer. Still owned by Huyck Felt's parent company, the buildings are now mostly empty. Factory operations terminated in recent years and the firm's remaining R&D offices closed during early 1984. These older, multi-floor mill buildings, with immediate access to rail sidings, provide the prime facility available as potentially leasable light industrial/commercial space in the City, totaling some 350,000 square feet. The City's policy is to provide assistance, either

to the present owners or potential developers, to achieve full reutilization of this unused space, preferably for light industrial, research and development/high tech, commercial or mixed commercial/residential uses. A major redevelopment project encompassing Huyck Mills, City Hall, and the Zappala property is a possibility for an imaginative project that would dramatically change the appearance, image and economy of the City. Needless to say, an intensive marketing effort and full application of available technical and financial incentives may be required to stimulate the private sector and achieve success.

City School District Property. To the north of the Zappala property along the Hudson Riverfront are the lands of the Rensselaer City School District, on which is located the modern Rensselaer Junior-Senior High School. On the grounds can be found outdoor basketball and tennis courts and various ball fields. These recreational facilities might be more closely integrated with the rest of the community if an access easement can be negotiated with the School District to allow extension of the proposed Riverfront open space trail system northward from the Zappala property. On the other hand, if the School District finds it essential for security purposes to generally limit public access to its property from the River side, fencing with appropriate gates could be erected paralleling the trail system on its landward edge. The Riverfront Development Plan also suggests that additional access from the community to the Riverfront trail could be provided at this location through the development of a trail along the Quackenderry Creek, entering the southern edge of the School District property where its present access roadway intersects Broadway.

School District use of this property is firmly established and quite desirable. The City's preferred policy is to negotiate the necessary access easements to extend the proposed Riverfront open space trail through School District property and to concomitantly encourage the School District to permit greater public access to, and use of, its recreational facilities.

AMTRAK Property. AMTRAK property within the City is divided into two distinct sections by the Conrail tracks. To the east lies AMTRAK's Albany-Rensselaer rail passenger station. In recent years a new station has been constructed, the former station converted to commissary use, and considerable site and parking area improvements carried out. Among other positive functional and visual effects, the site improvements have made it possible for CDTA buses to directly enter the grounds, thus upgrading rail passenger convenience. Recently, construction was completed on a 300+ vehicle addition to the parking lot area southward under and beyond the Herrick Street Bridge. As part of this overall improvement plan, the Herrick Street Bridge, damaged by a fire attributed to an idling AMTRAK locomotive, would be rehabilitated and reopened as a pedestrian bridge linking both the City's

Riverfront with the East Street/St. John's Parish residential neighborhood and the AMTRAK property with the proposed Zappala/Huyck Mills/City Hall redevelopment site.

The recommended policy is continued regional transportation use of this site, including maintenance and expansion of the passenger terminal, its parking facilities and site, with an eye toward possible introduction of high-speed rail service, the first elements of which have already been introduced.

West of the Conrail tracks lies AMTRAK's recently-constructed turbotrain maintenance facility. A major multi-million dollar service building, smaller accessory buildings, fuel storage tanks, trackage, and an employee parking lot have been developed on site. Vehicular access to the site is provided by both an extension of Washington Street and a connector road which exits onto Broadway directly opposite the entry to the City's Junior-Senior High School. These access roads are privately-owned and maintained.

The land on which the turbotrain maintenance facility lies is for the most part above the 100-year base flood elevation, and thus outside the City's designated flood hazard area. This highly-developed area is separated from the considerably more flood-prone land along the Hudson River shore by an existing chain-link fence. AMTRAK has indicated no plans for use of this shore land, which generally lies to the west of the Rensselaer County Sewer District's interceptor sewer. Negotiation of an easement, or preferably a greater fee interest, through AMTRAK property is desirable, so that the Riverfront trail system might be extended northward beyond the School District site to this strategically-located piece of Riverfront, some 1,920 feet in length. The broad, gently-sloping land area here provides additional opportunity for the development of overlooks and meadow areas to take advantage of Hudson River views and provide direct access to the often beach-like shoreline.

Lands North of the Livingston Avenue Railroad Bridge. Immediately north of the Livingston Avenue Railroad Bridge is an aggregate 15-acre tract of Riverfront land owned in a number of smaller parcels by private individuals and the City. Much of the area is identified as flood-prone, which in part explains its undeveloped condition, except for the County's Tracy Street sewage pumping station at the northern end of the parcel. Although served by sewers, with the County's interceptor sewer running through the site, water service is lacking except in the vicinity of Tracy Street. Present access is primitive, provided only by a private dirt road running into the site from the western end of Tracy Street. Although bounded to the east by the tracks of the Troy-Greenbush Railroad, there are no rail sidings

serving the site. In all, the tract includes approximately 1,750 feet, or one-third mile, of Hudson Riverfront.

It is recommended that the proposed Riverfront trail system be extended northward through this land. Portions of the site could also support residential land use, i.e., middle-to upper-income housing, which would be clustered on the higher areas of the tract, with the lower flood-prone areas utilized for associated parking and active and passive open space and recreation, in compliance with federal floodplain regulations. Because of the fractionalized ownership and the need for improved/expanded infrastructure, the City recognizes a need to work closely with prospective developers to encourage appropriate development here, fully utilizing available technical, financial, and legal tools and incentives.

Although the tract is currently zoned commercial-industrial (CI), residential and associated open space use here would be more consistent with the City's stated efforts to concentrate commercial/industrial development to the west and south of Conrail tracks, with residential neighborhood stabilization and revitalization encouraged elsewhere in the City. A large-scale redevelopment project at this site could be effectively reviewed by the City under the "Planned Development Review and Approval Procedure," a comprehensive rezoning and site plan approval procedure contained in the City's Zoning Law. Extensive marketing and financial/engineering feasibility studies would, no doubt, be required prior to any affirmative investment decisions.

Bath Neighborhood. The Bath Neighborhood is generally bounded by the Hudson River on the west, Fowler Avenue on the south, Forbes Road on the north and First Street to the east. Predominant land use along Broadway and First Street is one- and two-family residences. Areas nearer the Riverfront are currently a mix of commercial, residential and industrial uses, and vacant land. Among the businesses in the vicinity are a restaurant, a welding and metal fabricating shop, and a contractor's storage garage. This mix is reflected in the interweaving of residential (R3), historic commercial (HC) and commercial-industrial (CI) zoning districts. The Bath Neighborhood has some of the oldest housing in the City, including the Van Rensselaer Manor Tenant House at 15 Forbes Avenue, which has been recently rehabilitated by a private resident-owner and is listed on the National Register of Historic Places.

Portions of the Bath Neighborhood have fallen within the target area of the City's recent Small Cities Program CDBG effort, and have, as a consequence, experienced additional housing rehabilitation. Continued rehabilitation efforts should be extended northward when possible, to encompass the balance of the neighborhood.

Rehabilitation efforts must include reliance on appropriate historic preservation criteria. In addition, land is available here for infill development, both along the River near the site of the old ferry slip at the foot of Central Avenue and along First Street near the Rensselaer Housing Authority's recently-constructed moderate-income turnkey housing development. The Riverfront Development Plan specifically proposed that Central Avenue between First Street and Forbes be converted into a pedestrian way to provide an organizing element within the Bath Neighborhood and a strong link between the residential areas and the waterfront. A second major proposed public improvement would be rehabilitation and reprogramming of the Tracy Street playground as a small neighborhood-level park with facilities for all age groups.

Oil Storage Tanks/Former City Water Plant Site. Several large petroleum storage tanks are located adjacent to the shore and immediately north of the old ferry slip at Bath. These tanks are owned by a Rensselaer-based fuel-heating oil distributor, with far more facilities within the City's Port and tank farm area. Eventual elimination of these little-used tanks would contribute to improving the aesthetic quality of the City's Riverfront and, consequently, enhance the prospects of enhancing the Bath neighborhood to the east. One redevelopment proposal would utilize the area nearest the site of the old ferry slip for a waterfront restaurant, with an appropriate marine atmosphere, including boat mooring and a fishing pier.

Such a complex would complement the residential development proposal to the south. The Riverfront open space trail system extending from the south would circulate through this area, with the proposed Central Avenue pedestrian way creating a strong physical and visual link between the trail system and the Bath Neighborhood.

To the north, at the site of the City's old water filtration plant, Rensselaer County entered into a renewable five-year lease with the City for use of a portion of the parcel as a boat launch facility for recreational fishermen. While this lease has since expired, it is proposed that an improved boat launch/parking area, with suitable site amenities, be developed here. The balance of this site is recommended for general cleanup and passive recreational use, due to its flood-prone condition.

Barnet Mills Property. To the east of the site of the old water filtration plant, on the opposite side of the Troy-Greenbush Railroad right-of-way, and accessed by its own dirt roadway, lies the former Barnet Mills complex. Occupied in part today by KET Products, a light manufacturing facility, the site and its building are characterized by limited utilization and a visually-apparent state of physical deterioration and disrepair. Since more intensive long-term industrial use at this site is not

compatible with the City's waterfront program objectives, either redevelopment of the land, and/or adaptive reuse of what can be salvaged of its buildings, for residential/recreational/office facilities should be promoted. The site is presently served by water and sewer; access is, however, inadequate and would require extensive improvement. Marketing and physical/financial feasibility studies need to be conducted and the City, while continuing to cooperate with the present industrial user, including in the matter of relocation to a more suitable site, would have to fully utilize its financial tools to attract developers. To establish consistency with waterfront program objectives, a change in the current commercial-industrial (CI) zoning of this site should be considered by the City.

RPI Lands. Rensselaer Polytechnic Institute (RPI) owns a tract of more than 1,200 acres in the City of Rensselaer and the adjoining Town of North Greenbush, including some 45 acres which constitute the northernmost portion of the City's waterfront area. RPI developed a "Master Plan and Environmental Assessment Report" for its holdings in April 1981, identifying some 300 to 350 acres suitable for light industrial and office park development on the upper plateau area within North Greenbush and designating the lands along the River, both in the City and in North Greenbush, for recreation and open space uses. Such restricted use of the RPI Riverfront lands was viewed by the master plan as generally consistent with the area's environmental sensitivity (i.e., location characterized by presence of DEC-designated wetlands and the FEMA-designated flood plain), its lack of municipal utility service and presently-limited roadway access.

The earlier Rensselaer Riverfront Development Plan (1980) suggested, as does this LWRP, that the RPI lands could provide a terminus to the City's proposed Riverfront open space trail system. The Riverfront area immediately north of the County boat launch might accommodate picnic areas along the shoreline, while the former gravel processing site north of the I-90 Patroon Island Bridge provides an extensive flat area where ball fields, tennis courts, and related parking facilities can be developed.

The Riverfront Development Plan, consistent with the 1981 RPI master plan, suggested that the lands extending further northward and into the Town of North Greenbush presented an opportunity for passive recreation, with trail development for hikers, bicyclists, and skiers. Close cooperation in planning, development, and management of these areas by the City, Town of North Greenbush, and RPI was urged.

Since early 1981, two important events have occurred that suggest a fuller potential for the RPI lands. First, RPI did launch the development of the Rensselaer Technology Park later that year. Infrastructure has been installed within the Park's Phase I area,

and initial occupancy has already been established there within two corporately-owned buildings, National Semiconductor and Pacamor Bearings, while several smaller incubator firms are occupying, on a lease basis, multi-tenant structures developed by the Technology Park. Secondly, the Town of North Greenbush began in early 1984 the preparation of a Waterfront Revitalization Program for its coastal area. The Town's LWRP suggests that the Town's Riverfront can accommodate not only the previously-suggested conservation and recreation uses, but also development uses closely-related to the future growth and expansion of the Technology Park. These related uses included the development of an executive hotel/conference center and an office park or corporate training facility development on some 40 developable acres within the Town of North Greenbush. Access and utility services would be provided through extensions of the RTP infrastructure, and importantly include a roadway connection to the proposed I-90/Alternate Route 4 link. By further extending proposed access and utility services southward approximately 600 to 800 feet into the City of Rensselaer, an additional 10 to 12 acres of contiguous land suitable for office park or corporate training facility development would be made available. This would provide the City with prospect for a significant potential tax ratable. Rezoning by the City to accommodate this use, either to Planned Development or to Commercial-Industrial (CI) with appropriate limitations attached, as well as the negotiation of various contracts regarding protective and support services overlapping municipal jurisdictions, would be required prior to actual development.

PROPOSED PUBLIC AND PRIVATE PROJECTS

During the course of the preparation of this Local Waterfront Revitalization Program, the question of how to decide upon priority actions, i.e., what should be done next?, was frequently discussed. Three basic parameters were established by the City to address this key issue in the allocation of scarce technical and financial resources and the making of oftentimes difficult choices. These parameters are as follows:

- o An action should be given priority status if it is essential to sustain revitalization initiatives begun by the City since the 1976 publication of The Rensselaer Riverfront: A Public Policy Guide.
- o An action should be given priority status if it is likely to have a catalytic impact in spurring new and substantial revitalization initiatives.
- o An action should be given priority status if it is essential to inhibit some other action that could negatively impact in a substantial way the long-term

achievement of critical components of the Waterfront Revitalization Program, e.g., the continuity, where essential, of the Riverfront open space and trail system.

Based upon these criteria, the following priority of "early action," recommendations are made within this Local Waterfront Revitalization Program, with the intent being the addition in future years of other contemporary priorities once these initial objectives have either been achieved or found to no longer be appropriate.

1. Aggressively pursue activities related to the DEVELOPMENT OF THE ALBANY PORT DISTRICT AND RELATED LANDS, with the City's principal action priority being encouragement of the development of the Port Access Connector Roadway and fulfillment of the City's "Transportation Improvements Policy Statement" previously discussed under Policy 3A.
2. Pursue the DEVELOPMENT OF THE PROPOSED PORT AREA OVERLOOK in close coordination with the Albany Port District Commission, and with potential funding assistance through the Coastal Zone Management Program and the NYS Office of Parks, Recreation and Historic Preservation.
3. In the interests of both economic and residential revitalization, pursue DETAILED STUDIES ASSESSING DEVELOPMENT ALTERNATIVES AND MARKET POTENTIAL FOR THE CENTRAL AND NORTHERN RIVERFRONT AREAS, in close cooperation with private property owners and with their financial participation, as practicable. Follow-up on these feasibility studies with joint private/public development prospects and requests for development proposals should occur.
4. Negotiate and secure EASEMENTS FOR THE PROPOSED RIVERFRONT OPEN SPACE SYSTEM, emphasizing key links between potential redevelopment sites, e.g., the AMTRAK lands and the School District lands.
5. Undertake PHASE 2 DEVELOPMENT AT RENSSELAER RIVERFRONT PARK, in cooperation with the New York State Department of Transportation.
6. Active pursuit of FINANCIAL AND TECHNICAL ASSISTANCE FROM STATE AND FEDERAL AGENCIES TO FURTHER THE CITY'S ON-GOING REVITALIZATION EFFORT, with a recognized priority being the continuation over the next several years of funding for Rensselaer's neighborhood housing rehabilitation, commercial rehabilitation, and public improvement efforts, such as currently available through the HUD Small Cities Program.

A fuller discussion of each of these priority projects completes this Section of the Local Waterfront Revitalization Program.

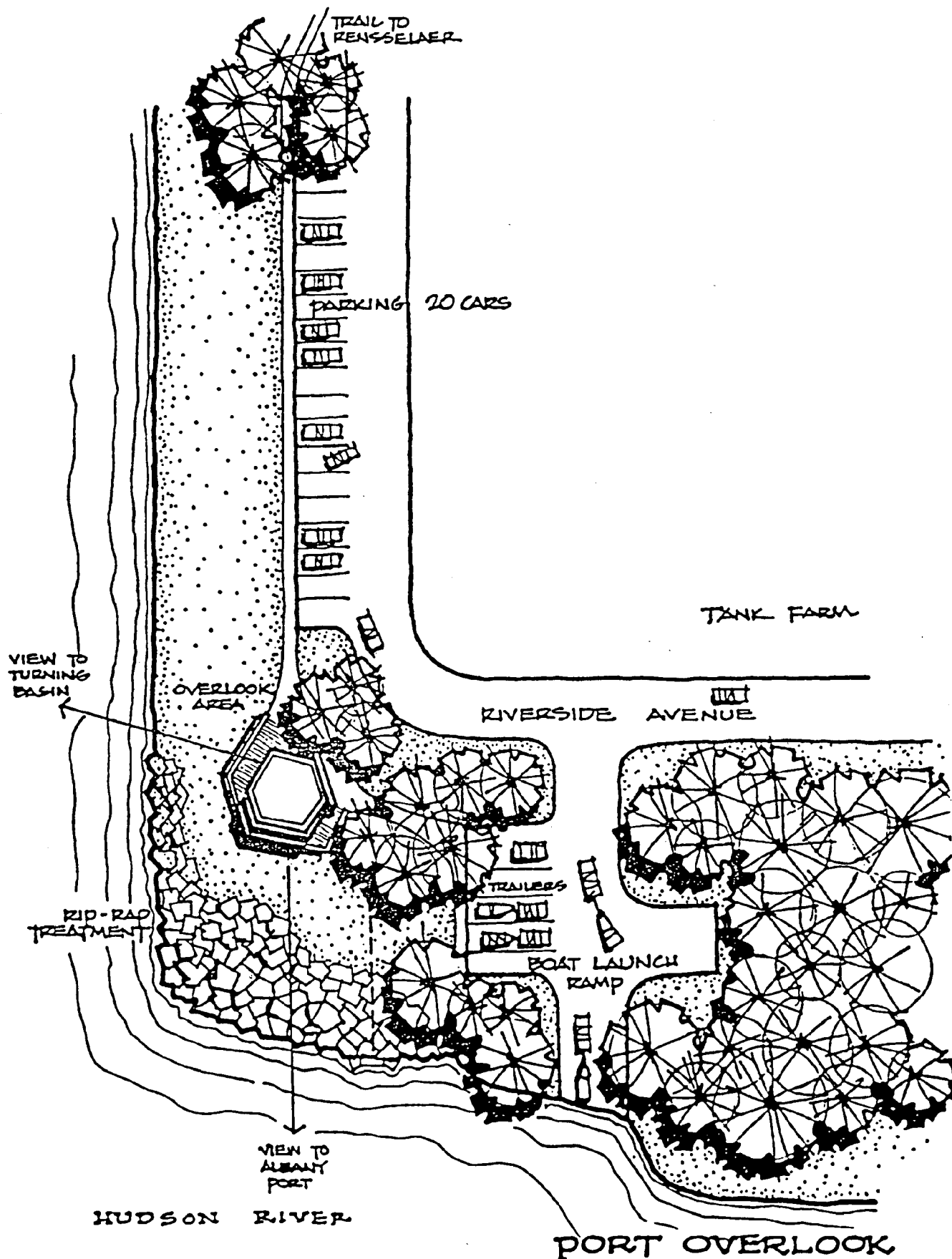
1. Redevelopment of Albany Port District and Related Lands. As stated within Policy 1A, the Albany Port District property and related vacant and tank farm lands in Rensselaer have the unique deep water aspect required to be an integral part of a regional marine transportation facility and the industrial focus of Rensselaer's Waterfront Revitalization Program. The Port site is instead an under-utilized 320-acre site with a \$2.2 million port dock in place and no clear program established for its economic utilization. Recently, United Brands proposed to locate a container operation on Port lands, utilizing approximately 30 acres. Between the existing Ashland facility and the proposed United Brands site, Port lands will be completely utilized.

Two key actions required to achieve a dramatic upgrading in the use of this facility are cited here as priority projects. These are (1) the development of an aggressive marketing program by the Port District Commission (composed of five members appointed by the Governor, four of whom are nominated by the Mayor of Albany and one of whom is nominated by the Mayor of Rensselaer), for this property; and (2) the development of engineering plans, funding, and construction of the previously-discussed Port Access Connector Roadway, for which Rebuild New York bond funds have been committed.

The Port Access Connector Roadway would enhance the economic potential of the Port District lands, serve the existing petroleum terminal area, open up sixty (60) or more acres of additional land to marine support and industrial development, and alleviate the critical conflict between the residential character and interests in the Fort Crailo Neighborhood and the impact of heavy truck/employee traffic. The potential locations for such a connector roadway (Riverside Avenue to NYS Routes 9J and 9 & 20) were fully examined in a 1982 "Coastal Energy Impact Program Port Access Study" by the engineering firm of Clough, Harbour & Associates and a task force comprised of New York State Urban Development Corporation (UDC), Capital District Transportation Committee (CDTC), Rensselaer County and City of Rensselaer representatives.

One suitable corridor for this route passes through the BASF Wyandotte property; other corridors are currently being considered by DOT as part of the Port Design Process for the Port lands. One must be selected and implemented in the interest of the total Rensselaer-East Greenbush port and industrial area, with its otherwise considerably developable land resource and an estimated \$120,000,000 in in-place capital investment.

2. Development of the Port Area Overlook. As stated within Policy 1F, the southern anchor in the City's proposed



Riverfront open space system will be provided by development of a Port area overlook at the southern end of the turning basin. This improvement was described in detail in the Riverfront Development Plan (1981), specifically:

"The development of a small park at this location would serve as a southern terminus to the City along Riverside Avenue, and a safe pedestrian connection via a proposed Class II bikeway. The park would be both a recreational and educational amenity within the community and provide an area for Hudson River access for both picnickers and boating enthusiasts.

Implementation of the conceptual design plan for this facility, would require an investment of approximately \$115,000. \$50,000 of this total could be saved if rest-room facilities were deleted from this park development project, or consideration could be given to their deferral until Phase 2. The preliminary cost for the Port Area Overlook is as follows:

. Site preparation/clearing-grubbing	\$2,500
. Rough grading	4,000
. Asphalt concrete paving - parking	11,700
- ramp	6,750
. Overlook shelter - rest-room facilities	45,000
- paved plaza	2,500
. Fine grading/seeding	4,200
. Planting	3,750
	1,500
	1,500
. Lights	3,000
. Sign	750
. Miscellaneous - repair to sewer outfall	5,000
. Benches	2,400
. Picnic tables/hibachis/trash receptacles	1,200
	600
	300
	96,650
O & P - 10%	9,665
	100,315
Contingency - 10%	10,630
TOTAL	\$116,945

The General Manager of the Albany Port District, as representative of the landowner, expressed support for the proposed Port Area Overlook during the consultation process. The overlook would utilize land undevelopable for industrial purposes and would be a focal point visually, recreationally, and educationally instead of what is today an unappealing transition between the

recently-constructed \$2.2 million port dock area and the City's petroleum tank farms. Both the Albany Port District General Manager, Mr. Dunham, and representatives of the Army Corps of Engineers expressed confidence that a small boat launch facility at this location would not interfere with port/turning basin activity. The boat launch would, however, require careful design to avoid the remains of old wooden dikes located near the park."

Updating of this cost estimate from previously-assumed 1983 to 1985-86 construction would add approximately 20% to the project construction budget; i.e., \$140,000, with rest-room facilities and \$85,000 without these facilities. Survey and design fees are estimated at approximately 8% to 10% of construction cost, or an additional \$11,000 to \$14,000 for full facility development.

3. Feasibility Studies. Detailed feasibility studies are required to fully assess the development potential of Rensselaer's central and northern Riverfront areas. In the words of the 1979 Local Coastal Management Case Study, "The problem is making something happen -- finding funds, identifying a market, or creating a demand for the use of Rensselaer coastal resources" or in other words "inducing activity."

- . As stated within Policy 1B, the City's Central Riverfront (Zappala Block, Huyck Felt, City Hall, and Amtrak Properties) is uniquely situated to be the commercial focus of Rensselaer's Waterfront Revitalization Program, paralleling the Port District's role as its industrial focus. This prospect can be locationally attributed to substantial Riverfront frontage and acreage, with dramatic day and night views of downtown Albany; convenient access to the Dunn Bridge, the City of Albany and the regional arterial highway system; and proximity to the Albany-Rensselaer AMTRAK Rail Passenger Station, including the recently-discussed prospect of high-speed New York City to Montreal rail service by the early 1990's.

The Riverfront Development Plan noted that "viable alternative uses, consistent with local coastal management objectives, for development of the Zappala lands would be (1) commercial development of either hotel/restaurant/conference facilities or retail shops/office building complex, or (2) multi-family residential development in a mid- to high-income range... A detailed feasibility study regarding these uses is recommended, including a close, development-specific examination of private/public financing alternatives."

The Development Plan also noted that, "...other

water-related uses at this location that might complement the new development and/or Riverfront Park should be closely evaluated."

These recommendations remain equally valid today. As suggested in the previous discussions of "Proposed Land and Water Uses," recent events suggest that they be pursued in a somewhat larger context. Specifically, the recommended feasibility study should be extended to include the potential of City Hall, the Huyck Mills and intervening parcels also available for a regional-level, commercial service (hotel, restaurants, offices/retail/transportation) center redevelopment project.

These are not new ideas. The question of the availability of the City Hall property has been raised during the past two years by a prospective developer of the Zappala property for hotel and related use, while the continuous reduction in activity, and now its absence, at Huyck Mills, suggest need for either new light manufacturing use of that 350,000 sq. ft. complex or a suitable adaptive reuse. Among the potential adaptive uses that require careful evaluation in the latter instance are high technology and research and development activities, office/commercial services, and retail mall/discount outlets. This evaluation of the Huyck Mills, and similarly but on a far smaller scale, of the City Hall property, would include analysis of market as well as questions regarding physical adaptability of the structure(s) to the projected use. Based upon its financial evaluation component, such a feasibility study would also gauge the amount and type of public leverage required to nurture the realization of this, the City's leading commercial revitalization opportunity.

Policy 1C recognizes the City's northern Riverfront (generally including those lands between the Livingston Avenue Railroad Bridge and the RPI property) as a uniquely-situated focus for new residential/recreational development within the City's Waterfront Revitalization Program.

The Riverfront Development Plan specifically recommended a "cluster-type housing development... as a viable, long-term use of the property" and "that the land would have to be marketed for residential development as a total land/design package." This latter concern is particularly critical, for a portion of this site lies within the City's 100-year flood plain; housing units would have to be clustered on the higher areas of the site, with immediate Riverfront areas more appropriately utilized for

recreation and open space.

A feasibility study should be conducted regarding the marketability and physical design of Riverfront residential development at this location. Further, this Local Waterfront Revitalization Program suggests, similarly to the discussion of the City's central Riverfront, that this feasibility study be extended in scope to address the potential of waterfront development north of Bath, including the old ferry slip, the petroleum storage tank site, the former City water plant site, and Barnet Mills properties.

Both this Program's review of "Proposed Land and Water Uses" and the 1981 Riverfront Development Plan recommended waterfront commercial/recreational use of the Riverfront properties, including the elimination of the petroleum-type storage tanks. The Barnet Mills complex presents a further opportunity for redevelopment evaluation; the site is characterized today by its limited utilization of existing facilities and visually-obvious state of disrepair. While long-term, more intensive industrial use is not compatible with Program objectives for this northern waterfront, two alternatives regarding this property require a fuller assessment: (1) potential, though probably limited due to the physical condition of existing improvements, for adaptive reuse for a more compatible land/structures use; or (2) removal of existing structures and redevelopment of the land area for office, residential, or other more compatible uses.

4. Riverfront Open Space and Trail System. The long-term development of the City's Riverfront open space and trail system requires the cooperation of several private and public property owners, including the securing by the City of easements or similar access and development rights to permit construction, maintenance and use of the trail and related recreational features. Key actions required include the following to improve existing resources and pursue and ensure the resources for accomplishment of this objective:

- . Develop Port Area Overlook as southern terminus of the Open Space and Trail System.
- . Develop Class II bikeway linking Port Area Overlook northward through the Fort Crailo Neighborhood to CBD and proposed southern entrance to Rensselaer Riverfront Park (Phase 3 development recommended by Development Plan).

- . Ensure the preservation and long-term maintenance of the Riverfront Open Space and Trail System in the Fort Crailo Neighborhood and carry out improvements at "Fort Crailo Park."
 - . Carry out further improvements to improve facilities and accessibility at Riverfront Park to both bolster this area as a major park and key node in the City's Open Space and Trail System, and to enhance the potential for development of adjacent lands in the Downtown Business District and in the City's central Riverfront area.
 - . Carry out detailed planning and design development (preliminary engineering) for Riverfront trail system north along the Hudson Riverfront from Riverfront Park, based upon general design criteria specified in the Riverfront Development Plan.
 - . Secure an easement for public access across the existing commercial property (Zappala) immediately north of Rensselaer Riverfront Park.
 - . Develop a consensus agreement with the Rensselaer City School District regarding the integration of RCSD lands and facilities with the Riverfront Open Space and Trail System.
 - . Negotiate with AMTRAK to secure long-term public access rights, either in full or through easement, to Amtrak's Riverfront lands.
 - . Secure an easement for public access across various private landholdings north of the Livingston Avenue Railroad Bridge extending to Bath, and integrate Riverfront Open Space and Trail System planning in this vicinity and northward to the RPI property in preliminary design development efforts required for marketing of proposed residential/recreational development here.
 - . Undertake a detailed study of the RPI land north of the Bath Neighborhood as both the northern terminus of the Riverfront Open Space and Trail System and as a sub-regional recreational opportunity, with such study closely coordinated with the Town of North Greenbush, RPI and Rensselaer County. Emphasize improved access as a critical study element. Relate this study closely to the feasibility study of redevelopment potential in the City's northern Riverfront, as previously discussed.
5. Rensselaer Riverfront Park. A discussion of the importance of Riverfront Park and recommended improvements to this

facility occurred in the Riverfront Development Plan (1981), specifically:

"Development of the Rensselaer Riverfront Park was recommended by the City's planning consultants in the Public Policy Guide as the City's first major park facility and as 'a key element in an eventual open space system.'

Under a joint development/multiple-use of highway right-of-way agreement entered into between the NYS Department of Transportation and the City of Rensselaer, the Riverfront Park has become a reality. Phase 1 was completed in May 1980 at a cost of approximately \$315,000, \$265,000 of which was provided to the City by the Federal Highway Administration and the State of New York. Phase 1 facilities include tennis courts and basketball courts, equipped with lights for night play; picnic facilities; and earthen bermed winter ice skating area in the northern, more active, portion of the park. More passive recreational opportunities are provided by walking/bicycle paths, landscaped areas throughout the balance of the Riverfront Park. The Riverfront Park was well utilized for structured and non-structured events during 1980, attributable to its quality facilities and its inviting access from the downtown area and adjacent residential districts.

Phase 2 of Rensselaer Riverfront Park development will include additional site amenities described in the Riverfront Development Plan, as follows: a pedestrian/bicyclist bridge over the Huyck Creek will be constructed, completing the internal circulation system within the Park. Minor landscaping improvements will be carried out and additional off-street parking provided along Broadway. A maximum of \$110,000 has been provided in the Capital District Transportation Committee's Transportation Improvement Program (TIP) to fund Phase 2, with a local share of 6% anticipated.

In addition to the scheduled Phase 2 work, several potential long-term improvements to reinforce the Riverfront Park were identified during the study period. As a complement to Rensselaer Downtown revitalization, a stronger access point providing a "sense of place" is recommended for the highly visible Broadway/Third Avenue intersection. A tot lot/sitting plaza and the installation of restroom facilities are recommended for the active recreational areas in the northern end of the Riverfront Park along Fifth Avenue. Finally, a pavilion structure is recommended to provide shade and shelter in the picnic area along the Hudson Riverfront, as at an

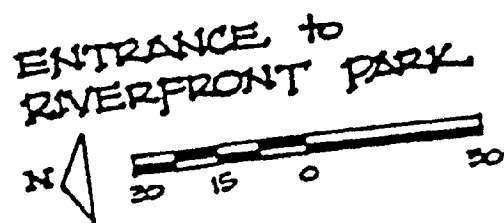
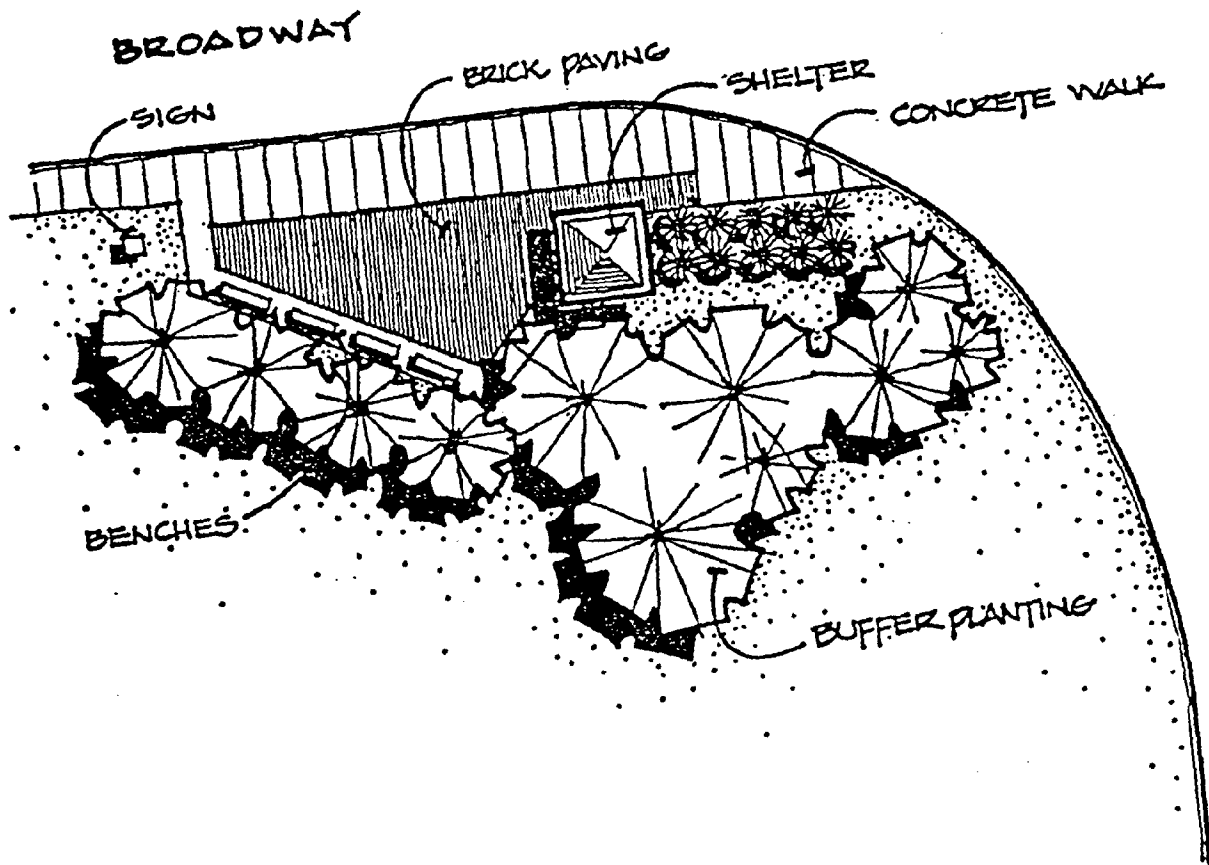
additional access point near the Columbia Street/Broadway intersection to provide a more direct pedestrian/bicyclist link to the Fort Crailo neighborhood."

Due principally to rejection by the Army Corps of Engineers of a permit for the development of the proposed pedestrian bridge over the Huyck Creek, Phase 2 development has not yet occurred, though \$110,000 remains programmed for this project in the TIP. Phase 2 should be rescoped by the City and NYSDOT to include the previously-recommended landscaping and off-street parking improvements, recently-noted need for storm drainage improvements to reduce erosion (see City's March 29, 1984 letter to Region 1, NYSDOT and Project Justification/Project Initiation Request, submitted to the Capital District Transportation Committee and the N.Y.S. Department of Transportation on July 31, 1985), minor site amenities, and the development of the Downtown, or Broadway/Third Avenue entrance. This latter element was detailed by the Riverfront Development Plan:

"The conceptual design plan presented for a more formal Rensselaer Downtown entrance to the Riverfront Park would require \$32,000 for its implementation. The installation of a handsomely-designed Rensselaer Riverfront Park sign at this location could be a modest first phase in the Rensselaer downtown entrance project. A second sign would be desirable in the northern area of the Park, at the Broadway/Fifth Avenue intersection. A preliminary cost estimate for this project follows:

. Site preparation	\$1,200
. Concrete paving	1,800
. Brick paving	9,750
. Shelter	9,000
. Sign	750
. Benches	1,200
. Trash receptacle	250
. Planting	750
	400
. Fine grading/seeding	500
	\$26,200
O & P 10%	<u>2,620</u>
	28,820
Contingency 10%	<u>2,880</u>
TOTAL	\$31,700"

Updating this cost estimate from assumed 1983 to 1985-86 construction would add approximately 20% to the Downtown entrance's budget; i.e., approximately \$38,000 plus 8% to 10% for survey and design fees.



ENTRANCE to
RIVERFRONT PARK

6. Financial and Technical Support for Continuation of On-Going Revitalization Efforts. The achievement of Policies 1D and E require the continued availability of local financial and technical resources to assist property owners in rehabilitating commercial and residential properties, to foster economic development and to undertake necessary public improvements. In prior years, the City has received assistance from the U.S. Department of Housing and Urban Development: a \$197,000 CDBG Neighborhood Development Program grant, a \$1,422,000 CDBG Small Cities Program grant, and a \$75,000 Urban Development Action Grant award. In September 1984, the City learned of HUD's approval of its most recent Small Cities program application, with one million dollars earmarked for housing rehabilitation, economic development loans, community center development, supporting public improvements, and CDBG administration. In subsequent years, the City received \$600,000 CDBG comprehensive grants in 1985 and 1986. From HUD's Rental Rehabilitation program grant, the city received \$125,000 in 1985 and \$115,000 in 1986.

Similar financial assistance will be required throughout the 1980's to continue the rehabilitation and community revitalization efforts under way, thus creating an improved climate for new investment and for full achievement of the Waterfront Revitalization Program.

SECTION V
TECHNIQUES FOR LOCAL IMPLEMENTATION OF THE PROGRAM

To achieve the objectives embodied in the policies, uses and projects which have been identified in the Local Waterfront Revitalization Program, the City has identified the essential local techniques and actions needed to ensure Program implementation. Such techniques and actions are grouped here under the following major categories: (a) local laws and regulations; (b) local management structure; (c) other public and private actions; and (d) necessary financial resources.

LOCAL LAWS AND REGULATIONS NECESSARY TO IMPLEMENT THE LWRP

Several local land use and development controls are in place in the City to guide future land use and development activities and, thus, in part implement the LWRP. Each of these local laws and regulations has recently either been adopted or comprehensively updated, and include the following:

- . "Zoning Law of the City of Rensselaer, New York," Local Law #1 of 1979 adopted by the Common Council as a comprehensive zoning amendment in January 1979, 97 pages and zoning map (copy follows as Figure 3, "Zoning Districts"). This local law divides the City into zoning districts and provides uniform regulations regarding land use and development standards within each zoning district.
- . "Local Law Providing Rules and Regulations for the Administration of the New York State Standard Building Construction Code and Related Regulations", Local Law #2 of 1979, adopted by the Common Council in January 1979, 22 pages. A Building and Zoning Administrator empowered to enforce the State Code and all other applicable laws, ordinances, rules and regulations relating to development within the City of Rensselaer is provided.
- . "Environmental Quality Review Law of the City of Rensselaer", enacted pursuant to locally implement Article 8 of the NYS Environmental Conservation Law in accordance with the provisions of Part 617 of Title 6, NYCRR, adopted by the Common Council in December 1978, 12 pages.
- . "City of Rensselaer Land Subdivision Regulations", adopted as a comprehensive amendment by the Planning Commission and approved by the Common Council in January 1979, 57 pages.
- . "City of Rensselaer Flood Damage Protection Ordinance", enacted pursuant to completion of the "Flood Insurance Study for the City of Rensselaer", adopted by the Common Council in March 1980, 14 pages. In compliance with the requirements of the National Flood Insurance Program, this local law provides for construction, site improvements, and utility installations within special flood hazard areas.

The City's Environmental Quality Review Law was amended as defined by the Statewide Regulations. Additional language regarding consistency with local and state policies and purposes contained in the LWRP and establishing procedures for consistency determinations are also included in this amended law. Thus, any action that is proposed to occur in the Coastal Zone Area is a Type I action, which requires an environmental assessment and a determination of consistency with the LWRP.

The City Environmental Quality Review Committee, established to review action in light of SEQR requirements, will therefore simultaneously determine consistency with the LWRP and effectively become the Waterfront Review Committee.

The amended City of Rensselaer Environmental Quality Review Law is included within the Appendix of this LWRP.

LOCAL MANAGEMENT STRUCTURE NECESSARY TO IMPLEMENT THE LWRP

City officials and agencies who will work cooperatively to achieve the objectives of the LOCAL WATERFRONT REVITALIZATION PROGRAM include, but are certainly not limited to, the following:

Mayor and Common Council. The Common Council is Rensselaer's legislature, or policy-making body. The Council plays a key role in the development and funding of municipal programs and services. The Mayor, who is not a member of the Common Council, is the chief elected official of the City. As such, the Mayor is responsible for the day-to-day administration of City government. The Common Council further has the sole power to adopt and amend legislation, except for the Planning Commission's adoption authority under the land subdivision regulations including the City's Zoning Law.

The Rensselaer Common Council will, in fact, be the designated lead agency for setting policy regarding implementation of the LOCAL WATERFRONT REVITALIZATION PROGRAM, with the Mayor designated as the principal local official for LWRP management and coordination, including the monitoring of proposed State and Federal actions for consistency with the LWRP.

Planning Commission. The Planning Commission will provide input to the Mayor and the Common Council on the prioritization of LWRP projects and activities and will, as provided for in the City's existing local laws and regulations, provide detailed review of projects under subdivision, site plan and related review and approval devices.

The Planning Commission will also provide a suitable forum for local community input on LWRP matters from individual citizens and groups, such as the Rensselaer Chamber of Commerce and the

Fort Crailo Triangle Neighborhood Association. Under the amended City Environmental Quality Review Law, the Commission will be allowed to make consistency determinations regarding development in the Coastal Zone Area in reference to the LWRP.

Planning and Development Agency. Under the Mayor's direction, the Director of Planning and Development will be responsible for the following: (1) grantsmanship and administration for comprehensive LWRP project funding, including related technical and financial assistance to private sector participants; (2) technical project review for Mayor and Planning Commission regarding compatibility with the LWRP and SEQR policies and other applicable local laws and regulations; and (3) staff coordination for IDA and Planning Commission.

OTHER PRIVATE AND PUBLIC ACTIONS NECESSARY TO IMPLEMENT THE LWRP

Local Government Actions. In addition to the designation of an appropriate management structure and the identification of existing local laws and regulations which are directed to implementation of LWRP-embraced objectives, City actions deemed necessary to implement the LWRP are as follows:

- . Rezoning of Lands. In accordance with the procedure detailed in Article VII of the City's Zoning Law, the City will consider upon specific application Planned Development (PD) rezoning to permit the well-serviced and sensitively-designed mixed use and cluster-type developments recommended within Section IV, "Proposed Land and Water Uses and Projects," for the central and northern Riverfront areas.
- . Project Initiation and Revitalization Activities. As discussed under "Proposed Public and Private Projects" within Section IV, the City will pursue financial and technical assistance from State and Federal agencies (see Section VI) to complement its in-house resources and further revitalization efforts and LWRP implementation. Priorities identified for early implementation are the following:
 - development of Port Connector Roadway and stimulation through an intensive marketing effort of the more intensive utilization of Port district and related industrial lands;
 - development of the Port Area Overlook;
 - detailed feasibility studies (economic and physical) for redevelopment of the central and northern Riverfront areas;

- securing of easements, or greater fee interest, for components of the Riverfront open space system;
- Phase 2 development of Riverfront Park; and
- continuation of neighborhood housing rehabilitation, commercial rehabilitation and public improvement efforts in the Fort Crailo, Rensselaer Downtown, and Bath areas of the City's waterfront.

Private Actions. Private sector investment is essential for achievement of LWRP development policies, including the overall objective of the Coastal Management Program to "restore, revitalize and redevelop deteriorated and underutilized waterfront areas for commercial and industrial, cultural, recreational and other compatible uses.

Participation and capital investment by the private sector is required at all stages of the development process for identified LWRP "Proposed Land and Water Uses and Projects." As discussed in Section IV, this need ranges from participation by landowners in feasibility studies regarding prospective major development on Port and industrial lands and in the City's central and northern Riverfront, to the actual construction, operation and maintenance of facilities proposed.

FINANCIAL RESOURCES NECESSARY TO IMPLEMENT THE LWRP

Limited financial resources are available for local implementation of the LWRP. The assistance of State and Federal agencies in permitting the City to carry out catalytic activities that will attract private investment to Rensselaer's waterfront is critical to achievement of the LWRP Riverfront Development plan (Table 2).

TABLE 2.
SUMMARY OF ACTIONS IMPLEMENTING LWRP POLICIES

<u>Local Laws & Regulations</u>	<u>Local Management Structure</u>	<u>Other Public & Private Actions</u>	<u>Necessary Financial Resources</u>
<u>"Zoning Law of City of Rensselaer New York", Local Law #1 of 1979</u>	<u>Common Council</u> Legislative body-policy setters for LWRP	<u>Local Government Actions Rezoning of Lands</u> Use of Article VII Planned Development of the City's Zoning Law.	State and Federal assistance in permitting the City to carry out catalytic activities that will attract private investment
<u>"Local Law Providing Rules and Regulations for the Administration of the New York State Standard Building Construction Code and Related Regulations", Local Law #2 of 1979</u>	<u>Mayor - Chief</u> elected official-principal monitor for LWRP management and coordination	<u>Project Initiation and Revitalization Activities</u> Seek State & Federal agency financial and technical assistance.	
<u>"Environmental Quality Review Law of the City of Rensselaer", adopted December 1978, amended December 1986.</u>	Planning Commission will be authorized to make local consistency determinations for actions occurring in the coastal zone area.	Private Actions Landowner participation in feasibility studies. Construction, operation and maintenance of facilities proposed.	
<u>"City of Rensselaer Land Subdivision Regulations", adopted January 1979</u>	<u>Planning & Development Agency</u> Director responsible for: 1) Grantsmanship and administration for LWRP funding 2) Technical project review for Mayor, Planning Commission and local SEQR Committee 3) Staff coordination for IDA, Planning Commission and local SEQR Committee.		

SECTION VI

STATE AND FEDERAL ACTIONS AND
PROGRAMS LIKELY TO AFFECT IMPLEMENTATION

State and Federal actions will affect and be affected by implementation of the LWRP. Under State law and the U.S. Coastal Zone Management Act, certain State and Federal actions within or affecting the local waterfront area must be "consistent" or "consistent to the maximum extent practicable" with the enforceable policies and purposes of the LWRP. This consistency requirement makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions and helps to prevent detrimental actions from occurring and future options from being needlessly foreclosed. At the same time, the active participation of State and Federal agencies is also likely to be necessary to implement specific provisions of the LWRP.

The first part of this section identifies the actions and programs of State and Federal agencies which should be undertaken in a manner consistent with the LWRP. This is a generic list of actions and programs, as identified by the NYS Department of State; therefore, some of the actions and programs listed may not be relevant to this LWRP. Pursuant to the State Waterfront Revitalization and Coastal Resources Act (Executive Law, Article 42), the Secretary of State individually and separately notifies affected State agencies of those agency actions and programs which are to be undertaken in a manner consistent with approved LWRPs. Similarly, Federal agency actions and programs subject to consistency requirements are identified in the manner prescribed by the U.S. Coastal Zone Management Act and its implementing regulations. The lists of State and Federal actions and programs included herein are informational only and do not represent or substitute for the required identification and notification procedures. The current official lists of actions subject to State and Federal consistency requirements may be obtained from the NYS Department of State.

The second part of this section is a more focused and descriptive list of State and Federal agency actions which are necessary to further implementation of the LWRP. It is recognized that a State or Federal agency's ability to undertake such actions is subject to a variety of factors and considerations; that the consistency provisions referred to above, may not apply; and that the consistency requirements can not be used to require a State or Federal agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Section IV and Section V, which also discuss State and Federal assistance needed to implement the LWRP.

A. State and Federal Actions and Programs Which Should Be Undertaken in a Manner Consistent with the LWRP

1. State Agencies

OFFICE FOR THE AGING

- 1.00 Funding and/or approval programs for the establishment of new or expanded facilities providing various services for the elderly.

DEPARTMENT OF AGRICULTURE AND MARKETS

- 1.00 Agricultural Districts Program.
- 2.00 Rural development programs.
- 3.00 Farm worker services programs.
- 4.00 Permit and approval programs:
 - 4.01 Custom Slaughters/Processor Permit
 - 4.02 Processing Plant License
 - 4.03 Refrigerated Warehouse and/or Locker Plant License

ALBANY PORT DISTRICT COMMISSION [regional agency]

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Commission.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

DIVISION OF ALCOHOLIC BEVERAGE CONTROL/STATE LIQUOR AUTHORITY

- 1.00 Permit and approval programs:
 - 1.01 Ball Park - Stadium License
 - 1.02 Bottle Club License
 - 1.03 Bottling Permits
 - 1.04 Brewer's Licenses and Permits
 - 1.05 Brewer's Retail Beer License
 - 1.06 Catering Establishment Liquor License
 - 1.07 Cider Producer's and Wholesaler's Licenses
 - 1.08 Club Beer, Liquor, and Wine Licenses
 - 1.09 Distiller's Licenses
 - 1.10 Drug Store, Eating Place, and Grocery Store Beer Licenses

- 1.11 Farm Winery and Winery Licenses
- 1.12 Hotel Beer, Wine, and Liquor Licenses
- 1.13 Industrial Alcohol Manufacturer's Permits
- 1.14 Liquor Store License
- 1.15 On-Premises Liquor License
- 1.16 Plenary Permit (Miscellaneous-Annual)
- 1.17 Summer Beer and Liquor Licenses
- 1.18 Tavern/Restaurant and Restaurant Wine
Licenses
- 1.19 Vessel Beer and Liquor Licenses
- 1.20 Warehouse Permit
- 1.21 Wine Store License
- 1.22 Winter Beer and Liquor Licenses
- 1.23 Wholesale Beer, Wine, and Liquor Licenses

DIVISION OF ALCOHOLISM AND ALCOHOL ABUSE

- 1.00 Facilities construction, rehabilitation,
expansion, or demolition or the funding of such
activities.
- 2.00 Permit and approval programs:
 - 2.01 Letter Approval for Certificate of Need
 - 2.02 Operating Certificate (Alcoholism Facility)
 - 2.03 Operating Certificate - Community Residence
 - 2.04 Operating Certificate (Outpatient Facility)
 - 2.05 Operating Certificate (Sobering-Up Station)

COUNCIL ON THE ARTS

- 1.00 Facilities construction, rehabilitation,
expansion, or demolition or the funding of such
activities.
- 2.00 Architecture and environmental arts program.

DEPARTMENT OF BANKING

- 1.00 Permit and approval programs:
 - 1.01 Authorization Certificate (Bank Branch)
 - 1.02 Authorization Certificate (Bank Change of
Location)
 - 1.03 Authorization Certificate (Bank Charter)
 - 1.04 Authorization Certificate (Credit Union
Change of Location)
 - 1.05 Authorization Certificate (Credit Union
Charter)
 - 1.06 Authorization Certificate (Credit Union
Station)
 - 1.07 Authorization Certificate (Foreign Banking
Corporation Change of Location)

- 1.08 Authorization Certificate (Foreign Banking Corporation Public Accommodations Office
- 1.09 Authorization Certificate (Investment Company Branch)
- 1.10 Authorization Certificate (Investment Company Change of Location)
- 1.11 Authorization Certificate (Investment Company Charter)
- 1.12 Authorization Certificate (Licensed Lender Change of Location)
- 1.13 Authorization Certificate (Mutual Trust Company Charter)
- 1.14 Authorization Certificate (Private Banker Charter)
- 1.15 Authorization Certificate (Public Accommodation Office - Banks)
- 1.16 Authorization Certificate (Safe Deposit Company Branch)
- 1.17 Authorization Certificate (Safe Deposit Company Change of Location)
- 1.18 Authorization Certificate (Safe Deposit Company Charter)
- 1.19 Authorization Certificate (Savings Bank Charter)
- 1.20 Authorization Certificate (Savings Bank De Novo Branch Office)
- 1.21 Authorization Certificate (Savings Bank Public Accommodations Office)
- 1.22 Authorization Certificate (Savings and Loan Association Branch)
- 1.23 Authorization Certificate (Savings and Loan Association Change of Location)
- 1.24 Authorization Certificate (Savings and Loan Association Charter)
- 1.25 Authorization Certificate (Subsidiary Trust Company Charter)
- 1.26 Authorization Certificate (Trust Company Branch)
- 1.27 Authorization Certificate (Trust Company-Change of Location)
- 1.28 Authorization Certificate (Trust Company Charter)
- 1.29 Authorization Certificate (Trust Company Public Accommodations Office)
- 1.30 Authorization to Establish a Life Insurance Agency
- 1.31 License as a Licensed Lender
- 1.32 License for a Foreign Banking Corporation Branch

NEW YORK STATE BRIDGE AUTHORITY [regional agency]

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

BUFFALO AND FORT ERIE PUBLIC BRIDGE AUTHORITY [regional agency]

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

CAPITAL DISTRICT TRANSPORTATION AUTHORITY [regional agency]

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.
- 3.00 Increases in special fares for transportation services to public water-related recreation resources.

CENTRAL NEW YORK REGIONAL TRANSPORTATION AUTHORITY [reg'l agency]

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.
- 3.00 Increases in special fares for transportation services to public water-related recreation resources.

DEPARTMENT OF COMMERCE

- 1.00 Preparation or revision of statewide or specific plans to address State economic development needs.
- 2.00 Allocation of the state tax-free bonding reserve.

DEPARTMENT OF CORRECTIONAL SERVICES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

- 1.00 Financing of higher education and health care facilities.
- 2.00 Planning and design services assistance program.

EDUCATION DEPARTMENT

- 1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certificate of Incorporation (Regents Charter)
 - 2.02 Private Business School Registration
 - 2.03 Private School License
 - 2.04 Registered Manufacturer of Drugs and/or Devices
 - 2.05 Registered Pharmacy Certificate
 - 2.06 Registered Wholesaler of Drugs and/or Devices
 - 2.07 Registered Wholesaler-Repacker of Drugs and/or Devices
 - 2.08 Storekeeper's Certificate

ENERGY PLANNING BOARD AND ENERGY OFFICE

- 1.00 Preparation and revision of the State Energy Master Plan.

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

- 1.00 Issuance of revenue bonds to finance pollution abatement modifications in power-generation facilities and various energy projects.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Department.
- 2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 4.00 Financial assistance/grant programs:
 - 4.01 Capital projects for limiting air pollution
 - 4.02 Cleanup of toxic waste dumps
 - 4.03 Flood control, beach erosion and other water resource projects
 - 4.04 Operating aid to municipal wastewater treatment facilities
 - 4.05 Resource recovery and solid waste management capital projects
 - 4.06 Wastewater treatment facilities
- 5.00 Funding assistance for issuance of permits and other regulatory activities (New York City only).
- 6.00 Implementation of the Environmental Quality Bond Act of 1972, including:
 - (a) Water Quality Improvement Projects
 - (b) Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects and Waterways Projects.
- 7.00 Marine Finfish and Shellfish Programs.
- 8.00 New York Harbor Drift Removal Project.
- 9.00 Permit and approval programs:
 - 9.01 Certificate of Approval for Air Pollution Episode Action Plan
 - 9.02 Certificate of Compliance for Tax Relief - Air Pollution Control Facility
 - 9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System

- 9.04 Permit for Burial of Radioactive Material
- 9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
- 9.06 Permit for Restricted Burning
- 9.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System
- 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities.
- 9.09 Certificate to Possess and Sell Hatchery Trout in New York State
- 9.10 Commercial Inland Fisheries Licenses
- 9.11 Fishing Preserve License
- 9.12 Fur Breeder's License
- 9.13 Game Dealer's License
- 9.14 Licenses to Breed Domestic Game Animals
- 9.15 License to Possess and Sell Live Game
- 9.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)
- 9.17 Permit to Raise and Sell Trout
- 9.18 Private Bass Hatchery Permit
- 9.19 Shooting Preserve Licenses
- 9.20 Taxidermy License
- 9.21 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
- 9.22 Floating Object Permit
- 9.23 Marine Regatta Permit
- 9.24 Mining Permit
- 9.25 Navigation Aid Permit
- 9.26 Permit to Plug and Abandon (a non-commercial oil, gas or solution mining well)
- 9.27 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 9.28 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 9.29 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish
- 9.30 Underground Storage Permit (Gas)
- 9.31 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)
- 9.32 Digger's Permit (Shellfish)
- 9.33 License of Menhaden Fishing Vessel
- 9.34 License for Non-Resident Food Fishing Vessel
- 9.35 Non-Resident Lobster Permit
- 9.36 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
- 9.37 Permits to Take Blue-Claw Crabs
- 9.38 Permit to Use Pond or Trap Net
- 9.39 Resident Commercial Lobster Permit
- 9.40 Shellfish Bed Permit
- 9.41 Shellfish Shipper's Permits

- 9.42 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean
- 9.43 Approval - Drainage Improvement District
- 9.44 Approval - Water (Diversion for) Power
- 9.45 Approval of Well System and Permit to Operate
- 9.46 Permit - Article 15, (Protection of Water) - Dam
- 9.47 Permit - Article 15, (Protection of Water) - Dock, Pier or Wharf
- 9.48 Permit - Article 15, (Protection of Water) - Dredge or Deposit Material in a Waterway
- 9.49 Permit - Article 15, (Protection of Water) - Stream Bed or Bank Disturbances
- 9.50 Permit - Article 15, Title 15 (Water Supply)
- 9.51 Permit - Article 24, (Freshwater Wetlands)
- 9.52 Permit - Article 25, (Tidal Wetlands)
- 9.53 River Improvement District approvals
- 9.54 River Regulatory District approvals
- 9.55 Well Drilling Certificate of Registration
- 9.56 Permit to Construct and/or Operate a Solid Waste Management Facility
- 9.57 Septic Tank Cleaner and Industrial Waste Collector Permit
- 9.58 Approval of Plans for Wastewater Disposal Systems
- 9.59 Certificate of Approval of Realty Subdivision Plans
- 9.60 Certificate of Compliance (Industrial Wastewater Treatment Facility)
- 9.61 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
- 9.62 Permit - Article 36, (Construction in Flood Hazard Areas)
- 9.63 Permit for State Agency Activities for Development in Coastal Erosion Hazard Areas
- 9.64 Permit Granted (for Use of State Maintained Flood Control Land)
- 9.65 State Pollutant Discharge Elimination System (SPDES) Permit
- 9.66 401 Water Quality Certification
- 10.00 Preparation and revision of Air Pollution State Implementation Plan.
- 11.00 Preparation and revision of Continuous Executive Program Plan.
- 12.00 Preparation and revision of Statewide Environmental Plan.

13.00 Protection of Natural and Man-made Beauty Program.

14.00 Urban Fisheries Program.

15.00 Urban Forestry Program.

16.00 Urban Wildlife Program.

ENVIRONMENTAL FACILITIES CORPORATION

1.00 Financing program for pollution control facilities for industrial firms and small businesses.

FACILITIES DEVELOPMENT CORPORATION

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

OFFICE OF GENERAL SERVICES

1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land and grants or easement of land under water, issuance of licenses for removal of materials from lands under water, and oil and gas leases for exploration and development.

2.00 Administration of Article 4-B, Public Buildings Law, in regard to the protection and management of State historic and cultural properties and State uses of buildings of historic, architectural or cultural significance.

3.00 Facilities construction, rehabilitation, expansion, or demolition.

DEPARTMENT OF HEALTH

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Permit and approval programs:

2.01 Approval of Completed Works for Public Water Supply Improvements

2.02 Approval of Plans for Public Water Supply Improvements.

- 2.03 Certificate of Need (Health Related Facility - except Hospitals)
- 2.04 Certificate of Need (Hospitals)
- 2.05 Operating Certificate (Diagnostic and Treatment Center)
- 2.06 Operating Certificate (Health Related Facility)
- 2.07 Operating Certificate (Hospice)
- 2.08 Operating Certificate (Hospital)
- 2.09 Operating Certificate (Nursing Home)
- 2.10 Permit to Operate a Children's Overnight or Day Camp
- 2.11 Permit to Operate a Migrant Labor Camp
- 2.12 Permit to Operate as a Retail Frozen Dessert Manufacturer
- 2.13 Permit to Operate a Service Food Establishment
- 2.14 Permit to Operate a Temporary Residence/Mass Gathering
- 2.15 Permit to Operate or Maintain a Swimming Pool or Public Bathing Beach
- 2.16 Permit to Operate Sanitary Facilities for Realty Subdivisions
- 2.17 Shared Health Facility Registration Certificate

DIVISION OF HOUSING AND COMMUNITY RENEWAL and its subsidiaries and affiliates

1.00 Facilities construction, rehabilitation, expansion, or demolition.

2.00 Financial assistance/grant programs:

- 2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)
- 2.02 Housing Development Fund Programs
- 2.03 Neighborhood Preservation Companies Program
- 2.04 Public Housing Programs
- 2.05 Rural Initiatives Grant Program
- 2.06 Rural Preservation Companies Program
- 2.07 Rural Rental Assistance Program
- 2.08 Special Needs Demonstration Projects
- 2.09 Urban Initiatives Grant Program
- 2.10 Urban Renewal Programs

3.00 Preparation and implementation of plans to address housing and community renewal needs.

HOUSING FINANCE AGENCY

1.00 Funding programs for the construction, rehabilitation, or expansion of facilities.

INTERSTATE SANITATION COMMISSION [regional agency]

- 1.00 Adoption and enforcement of air and water pollution standards within the Interstate Sanitation District.

JOB DEVELOPMENT AUTHORITY

- 1.00 Financing assistance programs for commercial and industrial facilities.

MEDICAL CARE FACILITIES FINANCING AGENCY

- 1.00 Financing of medical care facilities.

OFFICE OF MENTAL HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Operating Certificate (Community Residence)
 - 2.02 Operating Certificate (Family Care Homes)
 - 2.03 Operating Certificate (Inpatient Facility)
 - 2.04 Operating Certificate (Outpatient Facility)

OFFICE OF MENTAL RETARDATION AND DEVELOPMENT DISABILITIES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Establishment and Construction Prior Approval
 - 2.02 Operating Certificate Community Residence
 - 2.03 Outpatient Facility Operating Certificate

METROPOLITAN TRANSPORTATION AUTHORITY [regional agency]

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Increases in special fares for transportation services to public water-related recreation resources or facilities.

DIVISION OF MILITARY AND NAVAL AFFAIRS

- 1.00 Preparation and implementation of the State Disaster Preparedness Plan.

NATURAL HERITAGE TRUST

- 1.00 Funding program for natural heritage institutions.

NEW YORK CITY TRANSIT AUTHORITY [regional agency]

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Increases in special fares for transportation services to public water-related recreation resources or facilities.

NIAGARA FALLS BRIDGE COMMISSION [regional agency]

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Commission.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

NIAGARA FRONTIER TRANSPORTATION AUTHORITY [regional agency]

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.

- 2.00 Facilities construction, rehabilitation, expansion, or demolition.
- 3.00 Increases in special fares for transportation services to public water-related recreation resources.

OGDENSBURG BRIDGE AND PORT AUTHORITY [regional agency]

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION
(including Regional State Park Commissions)

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Office.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 3.00 Funding program for recreational boating, safety and enforcement.
- 4.00 Funding program for State and local historic preservation projects.
- 5.00 Land and Water Conservation Fund programs.
- 6.00 Nomination of properties to the Federal and/or State Register of Historic Places.
- 7.00 Permit and approval programs:
 - 7.01 Floating Objects Permit
 - 7.02 Marine Regatta Permit
 - 7.03 Navigation Aide Permit
 - 7.04 Posting of Signs Outside State Parks
- 8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation or related purposes.

9.00 Recreation services programs.

10.00 Urban Cultural Parks Program.

PORT AUTHORITY OF NEW YORK AND NEW JERSEY [regional agency]

1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.

2.00 Facilities construction, rehabilitation, expansion, or demolition.

3.00 Waterfront development project activities.

PORT OF OSWEGO AUTHORITY [regional agency]

1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.

2.00 Facilities construction, rehabilitation, expansion, or demolition.

POWER AUTHORITY OF THE STATE OF NEW YORK

1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.

2.00 Facilities construction, rehabilitation, expansion, or demolition.

ROCHESTER-GENESEE REGIONAL TRANSPORTATION AUTHORITY [reg'l agency]

1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.

2.00 Facilities construction, rehabilitation, expansion, or demolition.

3.00 Increases in special fares for transportation services to public water-related recreation resources.

NEW YORK STATE SCIENCE AND TECHNOLOGY FOUNDATION

1.00 Corporation for Innovation Development Program.

2.00 Center for Advanced Technology Program.

DEPARTMENT OF SOCIAL SERVICES

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Homeless Housing and Assistance Program.

3.00 Permit and approval programs:

- 3.01 Certificate of Incorporation (Adult Residential Care Facilities)
- 3.02 Operating Certificate (Children's Services)
- 3.03 Operating Certificate (Enriched Housing Program)
- 3.04 Operating Certificate (Home for Adults)
- 3.05 Operating Certificate (Proprietary Home)
- 3.06 Operating Certificate (Public Home)
- 3.07 Operating Certificate (Special Care Home)
- 3.08 Permit to Operate a Day Care Center

DEPARTMENT OF STATE

1.00 Appalachian Regional Development Program.

2.00 Coastal Management Program.

3.00 Community Services Block Grant Program.

4.00 Permit and approval programs:

- 4.01 Billiard Room License
- 4.02 Cemetery Operator
- 4.03 Uniform Fire Prevention and Building Code

STATE UNIVERSITY CONSTRUCTION FUND

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

STATE UNIVERSITY OF NEW YORK

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the University.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

DIVISION OF SUBSTANCE ABUSE SERVICES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certificate of Approval (Substances Abuse Services Program)

THOUSAND ISLANDS BRIDGE AUTHORITY [regional agency]

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

NEW YORK STATE THRUWAY AUTHORITY [regional agency]

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.
- 3.00 Permit and approval programs:
 - 3.01 Advertising Device Permit
 - 3.02 Approval to Transport Radioactive Waste
 - 3.03 Occupancy Permit

DEPARTMENT OF TRANSPORTATION

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Department.

2.00 Construction, rehabilitation, expansion, or demolition of facilities, including but not limited to:

- (a) Highways and parkways
- (b) Bridges on the State highways system
- (c) Highway and parkway maintenance facilities
- (d) Barge Canal
- (e) Rail facilities

3.00 Financial assistance/grant programs:

- 3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)
- 3.02 Funding programs for development of the ports of Albany, Buffalo, Oswego, Ogdensburg and New York
- 3.03 Funding programs for rehabilitation and replacement of municipal bridges
- 3.04 Subsidies program for marginal branchlines abandoned by Conrail
- 3.05 Subsidies program for passenger rail service

4.00 Permits and approval programs:

- 4.01 Approval of applications for airport improvements (construction projects)
- 4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)
- 4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities
- 4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
- 4.05 Certificate of Convenience and Necessity to Operate a Railroad
- 4.06 Highway Work Permits
- 4.07 License to Operate Major Petroleum Facilities
- 4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)

- 4.09 Permits for Use and Occupancy of N.Y. State Canal Lands [except Regional Permits (Snow Dumping)]
- 4.10 Real Property Division Permit for Use of State-Owned Property
- 5.00 Preparation or revision of the Statewide Master Plan for Transportation and sub-area or special plans and studies related to the transportation needs of the State.
- 6.00 Water Operation and Maintenance Program--Activities related to the containment of petroleum spills and development of an emergency oil-spill control network.

URBAN DEVELOPMENT CORPORATION and its subsidiaries and affiliates

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Corporation.
- 2.00 Construction, rehabilitation, expansion, or demolition of residential, commercial, industrial, and civic facilities and the funding of such activities, including but not limited to actions under the following programs:
 - (a) Tax-Exempt Financing Program
 - (b) Lease Collateral Program
 - (c) Lease Financial Program
 - (d) Targeted Investment Program
 - (e) Industrial Buildings Recycling Program

DIVISION OF YOUTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition and the funding or approval of such activities.

2. Federal Agencies

DIRECT FEDERAL ACTIVITIES AND DEVELOPMENT PROJECTS

DEPARTMENT OF COMMERCE

National Marine Fisheries Services

- 1.00 Fisheries Management Plans

DEPARTMENT OF DEFENSE

Army Corps of Engineers

- 1.00 Proposed authorizations for dredging, channel improvements, breakwaters, other navigational works, or erosion control structures, beach replenishment, dams or flood control works, ice management practices and activities, and other projects with potential to impact coastal lands and waters.
- 2.00 Land acquisition for spoil disposal or other purposes.
- 3.00 Selection of open water disposal sites.

Army, Navy and Air Force

- 4.00 Location, design, and acquisition of new or expanded defense installations (active or reserve status, including associated housing, transportation or other facilities).
- 5.00 Plans, procedures and facilities for landing or storage use zones.
- 6.00 Establishment of impact, compatibility or restricted use zones.

DEPARTMENT OF ENERGY

- 1.00 Prohibition orders.

GENERAL SERVICES ADMINISTRATION

- 1.00 Acquisition, location and design of proposed Federal Government property or buildings, whether leased or owned by the Federal Government.
- 2.00 Disposition of Federal surplus lands and structures.

DEPARTMENT OF INTERIOR

Fish and Wildlife Service

- 1.00 Management of National Wildlife refuges and proposed acquisitions.

Mineral Management Service

- 2.00 OCS lease sale activities including tract selection, lease sale stipulations, etc.

National Park Service

- 3.00 National Park and Seashore management and proposed acquisitions.

DEPARTMENT OF TRANSPORTATION

Amtrak, Conrail

- 1.00 Expansions, curtailments, new construction, upgradings or abandonments of railroad facilities or services, in or affecting the State's coastal area.

Coast Guard

- 2.00 Location and design, construction or enlargement of Coast Guard stations, bases, and lighthouses.
- 3.00 Location, placement or removal of navigation devices which are not part of the routine operations under the Aids to Navigation Program (ATON).
- 4.00 Expansion, abandonment, designation or anchorages, lightering areas or shipping lanes and ice management practices and activities.

Federal Aviation Administration

- 5.00 Location and design, construction, maintenance, and demolition of Federal aids to air navigation.

Federal Highway Administration

- 6.00 Highway construction.

St. Lawrence Seaway Development Corporation

- 7.00 Acquisition, location, design, improvement and construction of new and existing facilities for the operation of the Seaway, including traffic safety, traffic control and length of navigation season.

FEDERAL LICENSES AND PERMITS

DEPARTMENT OF DEFENSE

Army Corps of Engineers

- 1.00 Construction of dams, dikes or ditches across navigable waters, or obstruction or alteration of navigable waters required under Sections 9 and 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401, 403).
- 2.00 Establishment of harbor lines pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 U.S.C. 404, 405).
- 3.00 Occupation of seawall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the U.S. pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408).
- 4.00 Approval of plans for improvements made at private expense under USACE supervision pursuant to the Rivers and Harbors Act of 1902 (33 U.S.C. 565).
- 5.00 Disposal of dredged spoils into the waters of the U.S., pursuant to the Clean Water Act, Section 404, (33 U.S.C. 1344).
- 6.00 All actions for which permits are required pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
- 7.00 Construction of artificial islands and fixed structures in Long Island Sound pursuant to Section 4(f) of the River and Harbors Act of 1912 (33 U.S.C.).

DEPARTMENT OF ENERGY

Economic Regulatory Commission

- 1.00 Regulation of gas pipelines, and licensing of import or export of natural gas pursuant to the Natural Gas Act (15 U.S.C. 717) and the Energy Reorganization Act of 1974.
- 2.00 Exemptions from prohibition orders.

Federal Energy Regulatory Commission

- 3.00 Licenses for non-Federal hydroelectric projects and primary transmission lines under Sections 3(11), 4(e) and 15 of the Federal Power Act (16 U.S.C. 796(11), 797(11) and 808).
- 4.00 Orders for interconnection of electric transmission facilities under Section 202(b) of the Federal Power Act (15 U.S.C. 824a(b)).
- 5.00 Certificates for the construction and operation of interstate natural gas pipeline facilities, including both pipelines and terminal facilities under Section 7(c) of the Natural Gas Act (15 U.S.C. 717f(c)).
- 6.00 Permission and approval for the abandonment of natural gas pipeline facilities under Section 7(b) of the Natural Gas Act (15 U.S.C. 717f(b)).

ENVIRONMENTAL PROTECTION AGENCY

- 1.00 NPDES permits and other permits for Federal installations, discharges in contiguous zones and ocean waters, sludge runoff and aquaculture permits pursuant to Section 401, 402, 403, 405, and 318 of the Federal Water Pollution Control Act of 1972 (33 U.S.C. 1341, 1342, 1343, and 1328).
- 2.00 Permits pursuant to the Resources Recovery and Conservation Act of 1976.
- 3.00 Permits pursuant to the underground injection control program under Section 1424 of the Safe Water Drinking Water Act (42 U.S.C. 300h-c).
- 4.00 Permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857).

DEPARTMENT OF INTERIOR

Fish and Wildlife Services

- 1.00 Endangered species permits pursuant to the Endangered Species Act (16 U.S.C. 153(a)).

Mineral Management Service

- 2.00 Permits to drill, rights of use and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to 43 U.S.C. 1334, exploration and development plans, and any other permits or authorizations granted for activities described in detail in OCS exploration, development, and production plans.
- 3.00 Permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334) and 43 U.S.C. 931 (c) and 20 U.S.C. 185.

INTERSTATE COMMERCE COMMISSION

- 1.00 Authority to abandon railway lines (to the extent that the abandonment involves removal of trackage and disposition of right-of-way); authority to construct railroads; authority to construct coal slurry pipelines.

NUCLEAR REGULATORY COMMISSION

- 1.00 Licensing and certification of the siting, construction and operation of nuclear power plants pursuant to Atomic Energy Act of 1954, Title II of the Energy Reorganization Act of 1974 and the National Environmental Policy Act of 1969.

DEPARTMENT OF TRANSPORTATION

Coast Guard

- 1.00 Construction or modification of bridges, causeways or pipelines over navigable waters pursuant to 49 U.S.C. 1455.
- 2.00 Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33 U.S.C. 1501).

Federal Aviation Administration

- 3.00 Permits and licenses for construction, operation or alteration of airports.

FEDERAL ASSISTANCE*

DEPARTMENT OF AGRICULTURE

- 10.068 Rural Clean Water Program
- 10.409 Irrigation, Drainage, and Other Soil and Water Conservation Loans
- 10.410 Low to Moderate Income Housing Loans
- 10.411 Rural Housing Site Loans
- 10.413 Recreation Facility Loans
- 10.414 Resource Conservation and Development Loans
- 10.415 Rural Rental Housing Loans
- 10.416 Soil and Water Loans
- 10.418 Water and Waste Disposal Systems for Rural Communities
- 10.419 Watershed Protection and Flood Prevention Loans
- 10.422 Business and Industrial Loans
- 10.423 Community Facilities Loans
- 10.424 Industrial Development Grants
- 10.426 Area Development Assistance Planning Grants
- 10.429 Above Moderate Income Housing Loans
- 10.430 Energy Impacted Area Development Assistance Program
- 10.901 Resource Conservation and Development
- 10.902 Soil and Water Conservation
- 10.904 Watershed Protection and Flood Prevention
- 10.906 River Basin Surveys and Investigations

DEPARTMENT OF COMMERCE

- 11.300 Economic Development - Grants and Loans for Public Works and Development Facilities
- 11.301 Economic Development - Business Development Assistance
- 11.302 Economic Development - Support for Planning Organizations
- 11.304 Economic Development - State and Local Economic Development Planning
- 11.305 Economic Development - State and Local Economic Development Planning
- 11.307 Special Economic Development and Adjustment Assistance Program - Long Term Economic Deterioration
- 11.308 Grants to States for Supplemental and Basic Funding of Titles I, II, III, IV, and V Activities
- 11.405 Anadromous and Great Lakes Fisheries Conservation
- 11.407 Commercial Fisheries Research and Development
- 11.417 Sea Grant Support

*Numbers refer to the Catalog of Federal Domestic Assistance Programs, 1980 and its two subsequent updates.

- 11.427 Fisheries Development and Utilization - Research and Demonstration Grants and Cooperative Agreements Program
- 11.501 Development and Promotion of Ports and Intermodal Transportation
- 11.509 Development and Promotion of Domestic Waterborne Transport Systems

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

- 14.112 Mortgage Insurance - Construction or Substantial Rehabilitation of Condominium Projects
- 14.115 Mortgage Insurance - Development of Sales Type Cooperative Projects
- 14.117 Mortgage Insurance - Homes
- 14.124 Mortgage Insurance - Investor Sponsored Cooperative Housing
- 14.125 Mortgage Insurance - Land Development and New Communities
- 14.126 Mortgage Insurance - Management Type Cooperative Projects
- 14.127 Mortgage Insurance - Mobile Home Parks
- 14.218 Community Development Block Grants/Entitlement Grants
- 14.219 Community Development Block Grants/Small Cities Program
- 14.221 Urban Development Action Grants
- 14.223 Indian Community Development Block Grant Program

DEPARTMENT OF INTERIOR

- 15.400 Outdoor Recreation - Acquisition, Development and Planning
- 15.402 Outdoor Recreation - Technical Assistance
- 15.403 Disposal of Federal Surplus Real Property for Parks, Recreation, and Historic Monuments
- 15.411 Historic Preservation Grants-In-Aid
- 15.417 Urban Park and Recreation Recovery Program
- 15.600 Anadromous Fish Conservation
- 15.605 Fish Restoration
- 15.611 Wildlife Restoration
- 15.613 Marine Mammal Grant Program
- 15.802 Minerals Discovery Loan Program
- 15.950 National Water Research and Development Program
- 15.951 Water Resources Research and Technology - Assistance to State Institutes
- 15.592 Water Research and Technology - Matching Funds to State Institutes

DEPARTMENT OF TRANSPORTATION

20.102 Airport Development Aid Program
20.103 Airport Planning Grant Program
20.205 Highway Research, Planning, and Construction
20.309 Railroad Rehabilitation and Improvement -
Guarantee of Obligations
20.310 Railroad Rehabilitation and Improvement -
Redeemable Preference Shares
20.506 Urban Mass Transportation Demonstration Grants
20.509 Public Transportation for Rural and Small Urban
Areas

GENERAL SERVICES ADMINISTRATION

39.002 Disposal of Federal Surplus Real Property

COMMUNITY SERVICES ADMINISTRATION

49.002 Community Action
49.011 Community Economic Development
49.013 State Economic Opportunity Offices
49.017 Rural Development Loan Fund
49.018 Housing and Community Development (Rural
Housing)

SMALL BUSINESS ADMINISTRATION

59.012 Small Business Loans
59.013 State and Local Development Company Loans
59.024 Water Pollution Control Loans
59.025 Air Pollution Control Loans
59.031 Small Business Pollution Control Financing
Guarantee

ENVIRONMENTAL PROTECTION AGENCY

66.001 Air Pollution Control Program Grants
66.418 Construction Grants for Wastewater Treatment
Works
66.426 Water Pollution Control - State and Areawide
Water Quality Management Planning Agency
66.451 Solid and Hazardous Waste Management Program
Support Grants
66.452 Solid Waste Management Demonstration Grants

66.600 Environmental Protection Consolidated Grants
Program Support Comprehensive Environmental
Response, Compensation and Liability (Super
Fund)

B. Federal and State Actions and Programs Necessary to
Further the LWRP:

1. Federal Agencies

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

- a. continued funding through the Small Cities CDBG Program to sustain the City's on-going residential and commercial rehabilitation and public improvement efforts.
- b. potential consideration of Urban Development Action Grant (UDAG) funding to assist in implementation of large-scale redevelopment opportunities identified in the Port area, and on the central and northern sections of the City's Riverfront.

DEPARTMENT OF THE INTERIOR

- a. potential designation of the Fort Crailo and/or Bath neighborhoods on the National Register of Historic Places.

DEPARTMENT OF COMMERCE

- a. designation of a foreign trade zone including the Rensselaer side of the Port of Albany.

DEPARTMENT OF DEFENSE

- a. issuance of a Corps of Engineers permit for development of a pedestrian-scale bridge over Mill Creek to permit linkage of the north and south sections of Riverfront Park.

2. State Agencies

DEPARTMENT OF STATE

- a. review and approval of the City of Rensselaer's LWRP.

- b. approval of preconstruction CZM grant funds for the several priority LWRP projects identified in Section V.

LEGISLATURE

- a. approval of a foreign trade zone designation for the Port of Albany.
- b. approval of the regionalization of the management and financing of the Port of Albany, including assumption of the existing debt of the Port.

DEPARTMENT OF TRANSPORTATION

- a. planning, design, funding and implementation of the following transportation improvement projects: Port Access Roadway, NYS Route 9J (South Street) reconstruction, Teller's Crossing elimination, and site improvements at Albany-Rensselaer Rail Passenger Terminal.
- b. planning, design, funding and implementation with the City of Phase 2 and 3 improvements at Rensselaer Riverfront Park.
- c. correction of an existing erosion problem below the Dunn Memorial Bridge ramps caused by runoff from the bridge, the result of a poorly designed bridge drainage system.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

- a. approval of funding under the Land and Water Conservation Fund for priority waterfront recreation projects identified by the LWRP.
- b. assistance in survey and other activities related to the potential designation of the Fort Crailo and/or Bath neighborhoods on the National Register of Historic Places.

SECTION VII
CONSULTATION WITH OTHER AFFECTED FEDERAL,
STATE, REGIONAL AND LOCAL AGENCIES

Consultation with those governmental agencies and other organizations identified as having an interest in the preparation of the City's Local Waterfront Revitalization Program has been achieved through the use of two approaches. First, there are efforts dating from late 1975 dealing with the City's Waterfront Planning Activities prior to Rensselaer's involvement in the State's Coastal Management Program, which in turn have become core components of the LWRP. Second, specific consultation regarding the LWRP was initiated in later 1982 and continued throughout the preparation of the draft.

Active public participation has been an ingredient in each of the studies of the Rensselaer Riverfront that has occurred during the 1976-84 period. The Riverfront Development Plan, for instance, was prepared under the guidance of both the City Planning Commission and the Waterfront Study Advisory Committee, a group representing diverse business, residential and institutional interests and varied perspectives on the revitalization opportunities within the City.

The current Local Waterfront Revitalization Program planning effort included the same level of commitment to opportunity for public involvement in the consultation process. In addition to issue-specific discussions with the affected individuals and agencies, the following "public participation" schedule was maintained:

- . Staff and consultant meeting with Planning Commission (as public advisory group) to discuss CZM program and development of Local Waterfront Revitalization Plan (February 1, 1983);
- . Public informational meeting held to explain Coastal Zone Management Program and City's direction and goals in development of LWRP. Included discussion of State Coastal Management Policies as they apply to City (May 24, 1983);
- . Staff, consultant and Planning Commission workshop held regarding specific issues for inclusion in LWRP (June 20, 1983);
- . Planning Commission discussion of Transportation Improvement Policy statement, partial Columbia Street rezoning, and projects for priority consideration (July 5, 1983);
- . Staff and Planning Commission meeting with Fort Crailo Neighborhood Association members to discuss potential rezoning of Columbia Street section (at that time Historic Residential) to allow limited commercial development in presently vacant parcel. (July 25, 1983);

- . Public hearing held by staff, consultant and Planning Commission to elicit comment on Local Waterfront Revitalization Plan, with outline draft presented in detail (August 2, 1983);
- . Public presentation of Draft Local Waterfront Revitalization Plan at meeting of Rensselaer Common Council (August 7, 1983);
- . Common Council held public hearing on Draft EIS (September 4, 1985).

In addition to those State agencies identified in Section VI, throughout its waterfront planning activities the City has maintained consultation with such further parties of interest as the following:

- . Rensselaer Chamber of Commerce;
- . Capital District Transportation Committee;
- . the Albany Port District Commission;
- . the Capital District Regional Planning Commission;
- . the Rensselaer County Government; and
- . neighboring communities, such as the Towns of North and East Greenbush and the City of Albany.

Upon completion, the draft LWRP was available for review and comment by all affected agencies and interested parties. Comments received were reviewed and analyzed. Where such comments warranted changes to the draft LWRP, they were accommodated in the final program document and the FEIS to the maximum extent possible.

SECTION VIII
LOCAL COMMITMENT

A Local Waterfront Revitalization Program (LWRP) is a partnership effort which requires firm local commitment. This section of the LWRP details the City of Rensselaer's commitment to its LWRP.

To insure that the needs and desires of the community were reflected in the local program, the Common Council of Rensselaer appointed the Planning Commission the Waterfront Advisory Committee, representing public and private interests and the general citizenry. This committee, with assistance from program staff, held a series of meetings to contribute and review sections of the program as they were drafted. Government agencies and private groups attended these meetings. Recommendations of the committee on completed sections were transmitted to the Mayor and Common Council for consideration.

In this manner, significant contributions of time, interest and expertise were drawn from Rensselaer's businessmen and residents into the preparation of the Local Waterfront Revitalization Program. Citizen input improved the data base, verified program information, evaluated various alternatives and expressed the values and concerns of the community.

Following the completion of the draft program, including the draft EIS, the Common Council approved the draft documents and submitted them to the NYS Department of State for distribution to federal and State agencies for a 60-day review period, required by Executive Law, Article 42. At the same time, the draft documents were filed and distributed as required by the SEQRA. As a result, there were a number of comments received for which further revisions and refinements needed in the LWRP were identified. These revisions and refinements were described in the final EIS and incorporated into the final LWRP document. The final program document was then adopted by the Common Council and submitted to the NYS Secretary of State for approval.

The City has recognized the need to continue public and private involvement in and commitment to the implementation of the LWRP. It has thus proposed that the Common Council will be responsible for setting policy regarding implementation of the LWRP. The Mayor will be responsible for management and coordination of the LWRP. The Director of Planning and Development will serve as staff to the Mayor and Planning Commission on LWRP matters. These entities will have specific duties, powers and responsibilities in furthering waterfront policies, projects and other program activities (see Section V).

NATURAL CHARACTERISTICS

The natural characteristics of a community have a critical impact on overall development patterns and on the choice between conservation and development alternatives. In some cases, these natural characteristics are limitations that will create serious impracticalities in development because of excessive cost for land preparation, improvements and/or construction. In other cases, critical and unique areas would be forever lost if development were to proceed. Hazards might be created to both life and property. As public health, safety and environmental values are all critical factors that must be taken into consideration, analysis will suggest that, while there are good building sites in the City of Rensselaer, there are other land areas that either should be retained in a natural state or developed for open space purposes.

In order to properly determine where such areas are located in the City, and particularly along its riverfront, the following natural characteristics have been inventoried, based upon available and observable resource information:

- o surficial/glacial geology
- o soils
- o topography/slope
- o topography/relief
- o water resources
- o flood-prone areas

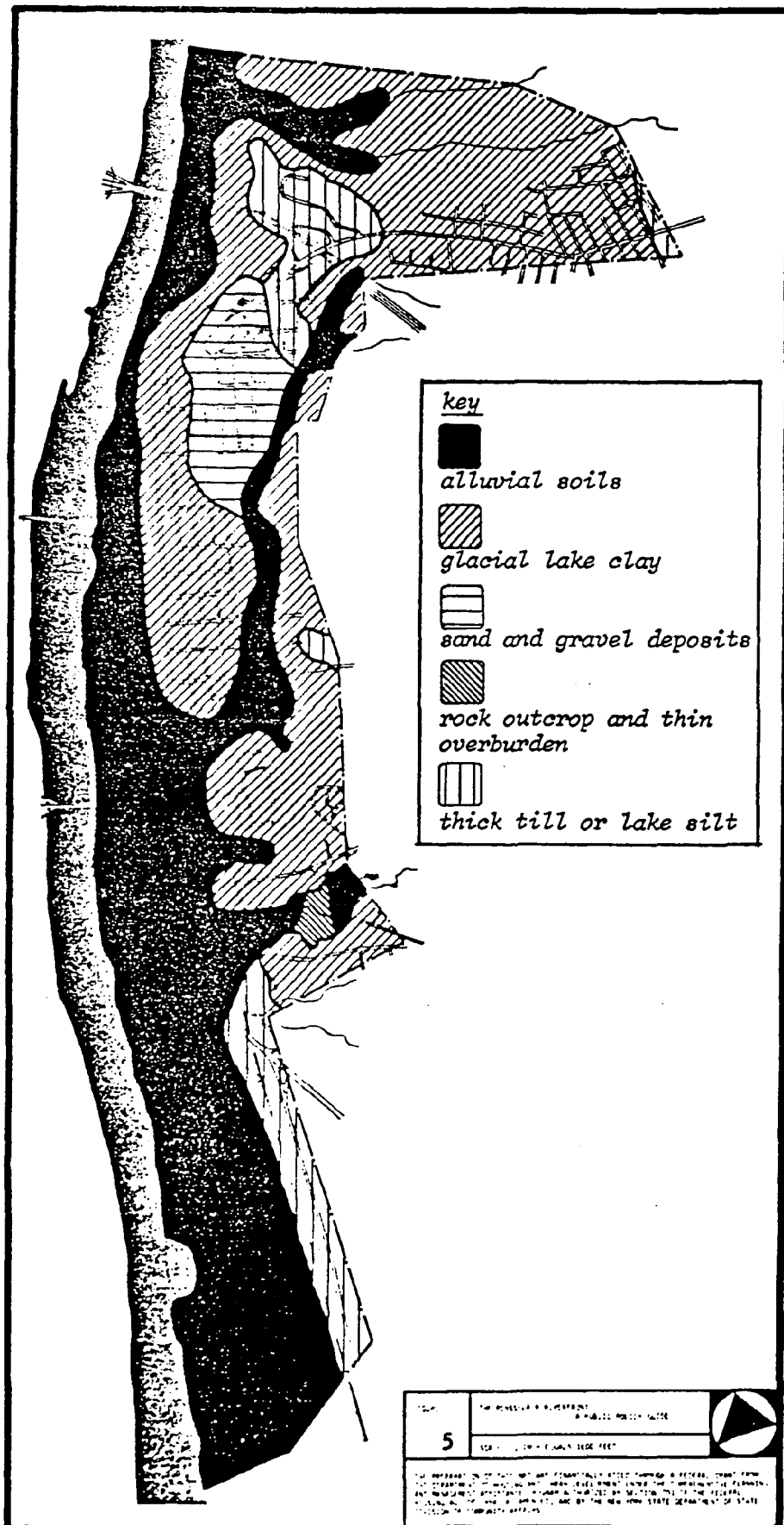
surficial/ glacial geology

A consultant geologist has mapped the various surface deposits and geologic situations encountered in Rensselaer County. Figure 5 provides these data for the City of Rensselaer. Broad areas of potential geologic hazard or restraint are shown. This map does not pinpoint on a lot-by-lot basis where particular problems will occur, but indicates where they do have a high probability of occurring.

The five mapping units and their basic implications for land use and development activity are as follows:

- o Alluvial soils of modern origin are those soils typically found on the flood plains of streams and rivers, and in areas of swamps and marshes. Generally, this unit depicts bottom land frequently subject to flooding, and areas where the water table lies close to the surface, usually within five to ten feet.

surficial/
glacial geology



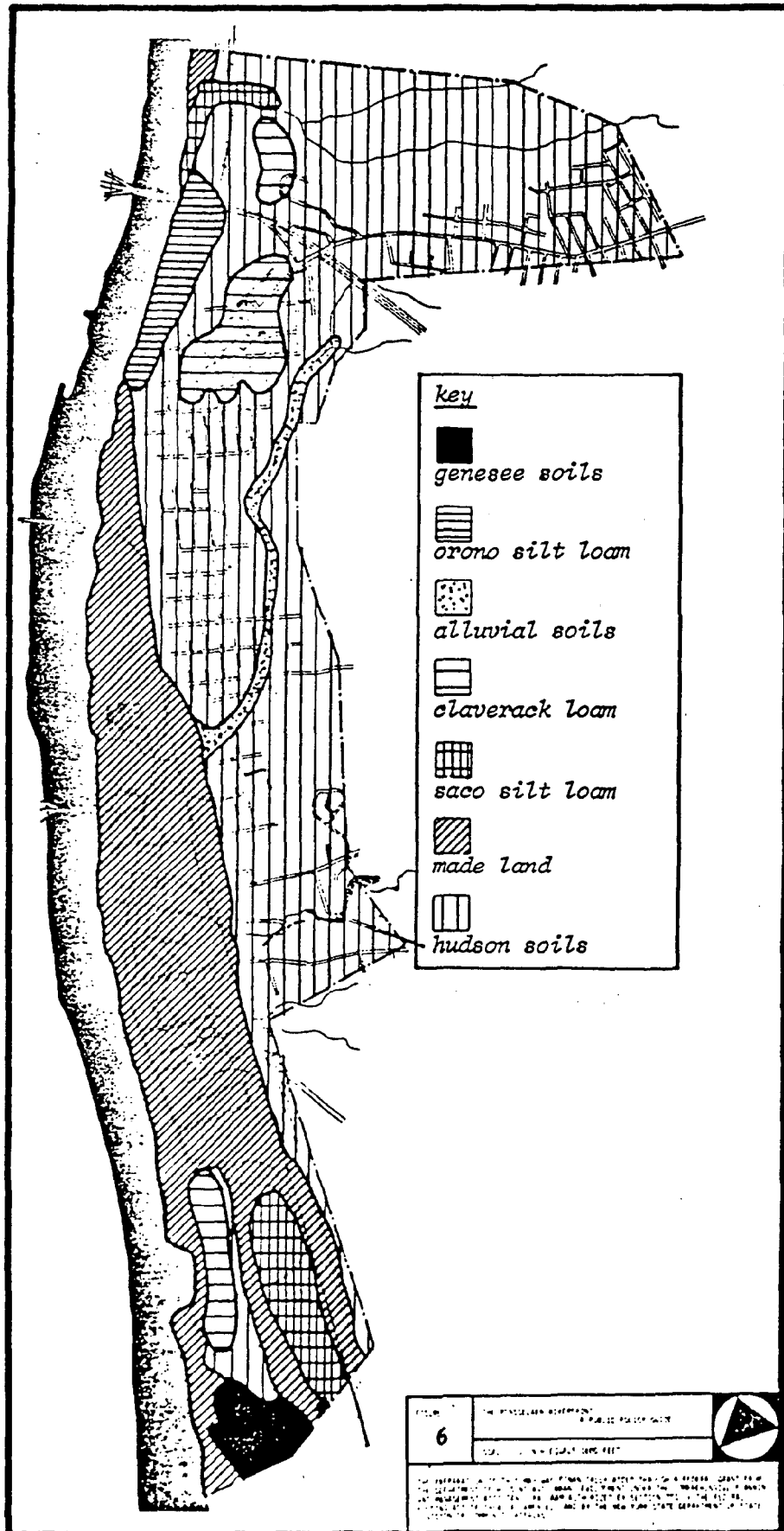
- o Glacial lake clay is generally laminated and stone-free. Percolation in this material is very poor; runoff is consequently rapid. The surface is soft and muddy when saturated or hard and brittle when excessively dried. Shoulders of gullies and slopes are subject to landslides, and slope faces are highly susceptible to surface creep. The conditions for development are negative, particularly so if associated with a slope condition.
- o Sand and gravel deposits are areas with good percolation and absorptive capacity. These areas have little geologic hazard for development. If currently undeveloped, these areas represent a potential source of aggregate and are therefore subject to pressure for excavation.
- o Rock outcrop and thin overburden are areas of semi-consolidated material of glacial origin overlying rock, generally with less than five feet to the rock surface. Excavation is difficult, construction cost is high, and downward percolation of water extremely limited where this situation is encountered.
- o Thick till or lake silt are areas of dense, fine-grained matrix material in which is suspended a variety of stones and rock fragments. Slopes in excess of fifteen percent are often associated with the edges of such a deposit.

soils

Soil Conservation Service investigations provide detailed information regarding soils that is extremely useful for planning purposes. This information is limited in part by the range of SCS study, extending to a depth of some four to five feet below the surface. Thus, if significant cut and fill activity occurs on a particular site, the value of this soils information will be greatly reduced. A second limitation concerns the category "made land." Where land has been created by man, by dredging, fill or other activity, SCS can do little more than identify the condition and indicate that soils for these areas must be evaluated on a site-by-site basis, even for detailed planning purposes. In all instances, a soils engineer should be a key part of the design team for major development, including subdivision activity.

Figure 6 indicates the particular soils found in Rensselaer. SCS has provided the following brief description of these soils. An estimate of the percentage of the lands in Rensselaer falling under each description is also noted.

soils



- o Genesee soils (2%) are deep, well-drained soils occurring on stream bottom land. Genesee soils have a brown silt loam or loam surface soil eight to ten inches thick which grades into a yellow-brown silt loam of fine texture to a depth of forty to forty-eight inches. In some cases, the soil becomes slightly heavier below this depth. The surface soil may be acid, but in most locations it is mildly alkaline or neutral. The subsoil everywhere is alkaline.
- o Orono silt loam (2.5%) occupies level or slightly depressed imperfectly-drained areas. The surface soil is granular silt loam to a depth of five or six inches where it passes into a slightly firm silt loam. At a depth of ten to thirteen inches is found a heavy silt loam overlying a very slowly permeable bluish-gray, compact, silty clay loam.
- o Alluvial soils (4%) occupy areas along streams subject to flooding in either Spring or periods of heavy rainfall. The soils consist primarily of silt or very fine sands that have been moved and redeposited by stream action. Alluvial soils are generally poorly drained soils with moderately fine-textured subsoil. Development limitation is severe.
- o Claverack loam (5%) is a deep, moderately well-drained, strongly acid to neutral coarse-grained soil that formed in sandy lake sediments that overlie clayey lake-laid deposits. The soil is typically stone-free. This nearly level, or undulating to sloping soil, is found on deltas or similar sandy sediments associated with glacial lake deposits. Claverack loam has seven to ten inches of friable to loose, rapidly permeable, loamy fine sand to fine loamy sand over thirteen to thirty inches of very friable, rapidly permeable loamy fine sand or fine sand. The substratum is generally firm, very slowly permeable, calcareous silty clay loam.
- o Saco silt loam (6%) is an alluvial, very poorly drained soil frequently occurring on flood plains and other bottom land. It is subject to frequent overflow and is often covered by slack water. It is characterized by a four to six inch dark surface soil high in organic matter, overlying a silty clay loam subsoil which passes below a depth ranging from fifteen to twenty inches, into a tough and plastic clay. In most places this clay is acid above

thirty-six inches and may be calcareous below that depth. Cattails or coarse grasses are prevalent. This soil is severely limited for urban development, providing good sites for wetland and wildlife development.

- o Made land (31%) is located along major sections of the riverfront. It consists of dredgings of gravel, sand and mud from the Hudson River, material from building excavations, railroad-associated cinders and trash. This material was used to fill in low areas, marshes and bottom lands and in most places this material is raw and covers the original land surface to a depth of several feet. Made land is usually of little value in supporting quality vegetation.
- o Hudson soils (49.5%) are deep, moderately well to well-drained, medium acid to neutral, fine textured soils formed in calcareous, clayey glacial landforms that were mantled with lake sediments. Hudson soils have one to two feet of moderately slowly permeable silt loam or silty clay loam over slowly permeable silty clay loam over slowly permeable silty clay to a depth of three and one half feet. These materials are generally underlain by slowly permeable lake-laid deposits consisting of layers of silty clay or clay separated by thinner silty layers. Hudson soils are frequently associated with steep slope conditions. In these areas frequent land slides and erosion are constantly causing the formation of new surface soils, so that it may be difficult for tree growth or other vegetation to get started.

In summary, the soils in Rensselaer are primarily composed of silty and clayey material of outwash and terrace origin. They generally overlie a soft shale bedrock, the bedrock through which the Hudson River carved a trench about one mile wide and some two hundred feet below the earlier plain level. Both the predominance of clay composition soil in the bulk of the City and the uncertainties inherent with man-made land generally in the remainder present severe development limitations.

topography/
slope

The slope of the land, which is a function of topography, has an important bearing on the development of land, both for urban and recreation purposes. Slope which is too steep makes it difficult to lay out streets, site buildings, and provide utilities or other improvements. Slope is usually expressed in terms of a percentage; for example, land which rises or falls ten feet in a vertical sense for each one hundred feet of movement in a horizontal sense is said to have a slope of ten percent.

While technologically it may be possible to build on any slope, the problems and costs associated with both initial development and long-term maintenance typically increase as slopes increase. Drainage problems may also exist where there is too little slope. A traditional planning standard suggests that all urban development be discouraged in areas where slopes exceed fifteen percent. Public improvements, such as the laying of streets and utilities, should be restricted to flatter slopes, with ten percent being a workable standard.

Slopes generalized within the City of Rensselaer are mapped on Figure 7 in the categories zero to three percent slope, three to fifteen percent slope, and slopes in excess of fifteen percent.

*topography/
relief*

Relief, or land elevation, is a second function of topography. Relief in Rensselaer ranges from less than five feet above sea level at the Hudson River to two hundred fifty-five feet near the "rock cut" on Washington Avenue in the Eastland Park area of the City. Figure 8 exhibits a mapping of relief at forty feet intervals. The first forty feet contour is particularly significant to this study, for it establishes a natural boundary for defining "The Riverfront."

The relief profiles that are also included on Figure 9 identify Rensselaer's four basic landforms. From west to east across the City, the landforms are as follow:

- o River flat - basically a riverfront shelf which varies from 400 to 2000 feet in depth from the Hudson shoreline. Much of this riverfront shelf is man-made land, created by the Army Corps of Engineers in their efforts to channel the Hudson to improve navigation and flood control in the area. Areas of either concrete or wooden dike, constructed and maintained by the Corps, are located along major sections of the riverfront.
- o Sloping land - a relatively steep escarpment is penetrated at several locations by deep east to west ravines, generally wooded and with slopes in excess of twenty to twenty-five percent.
- o Plateau land - a major portion of residentially-developed Rensselaer. The broad plateau lands slope gently upward to the east and are framed by tree-lined ravines.

key

0 - 3 percent

3 - 15 percent

greater than 15 percent

7

0 10 miles

topography/relief

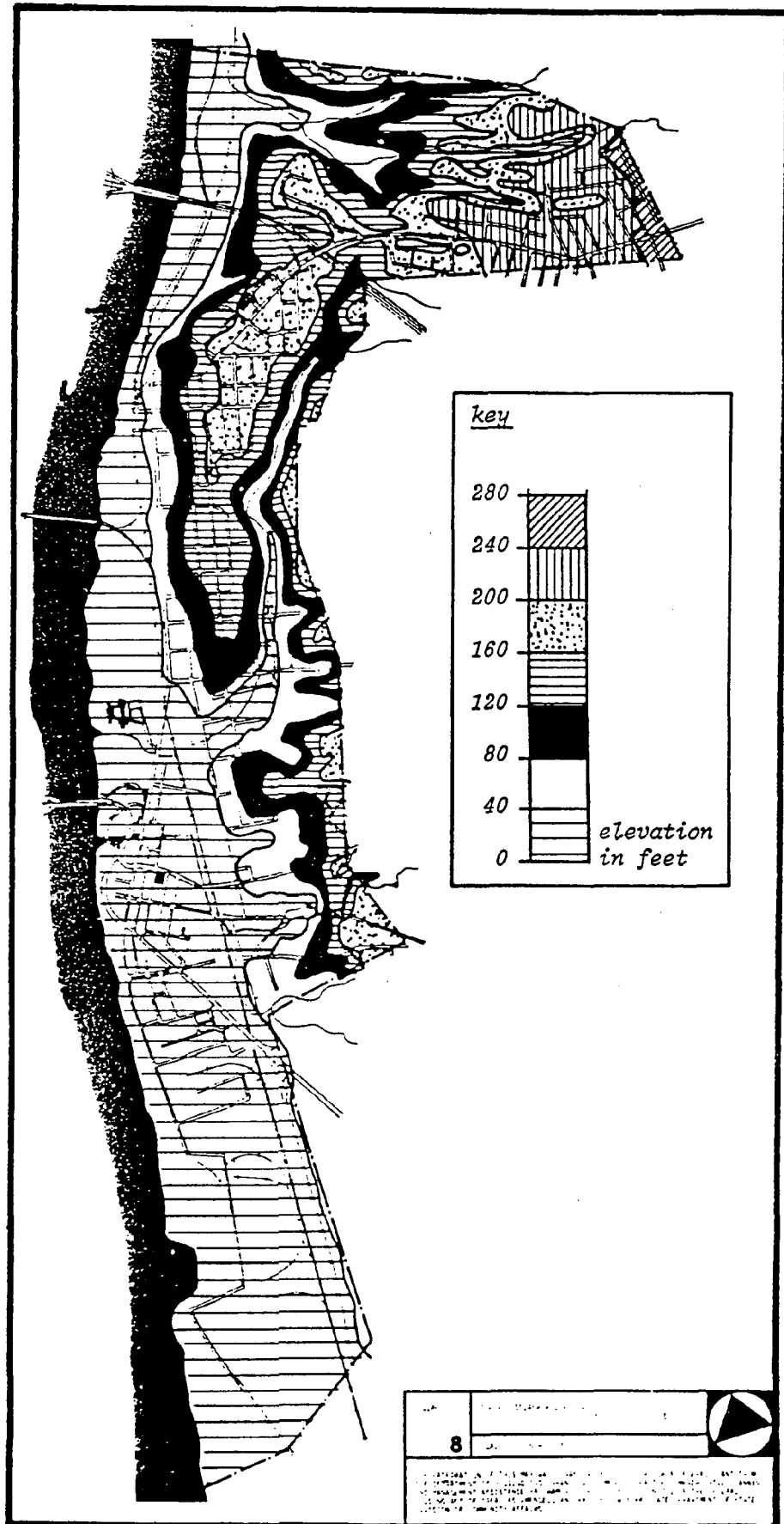
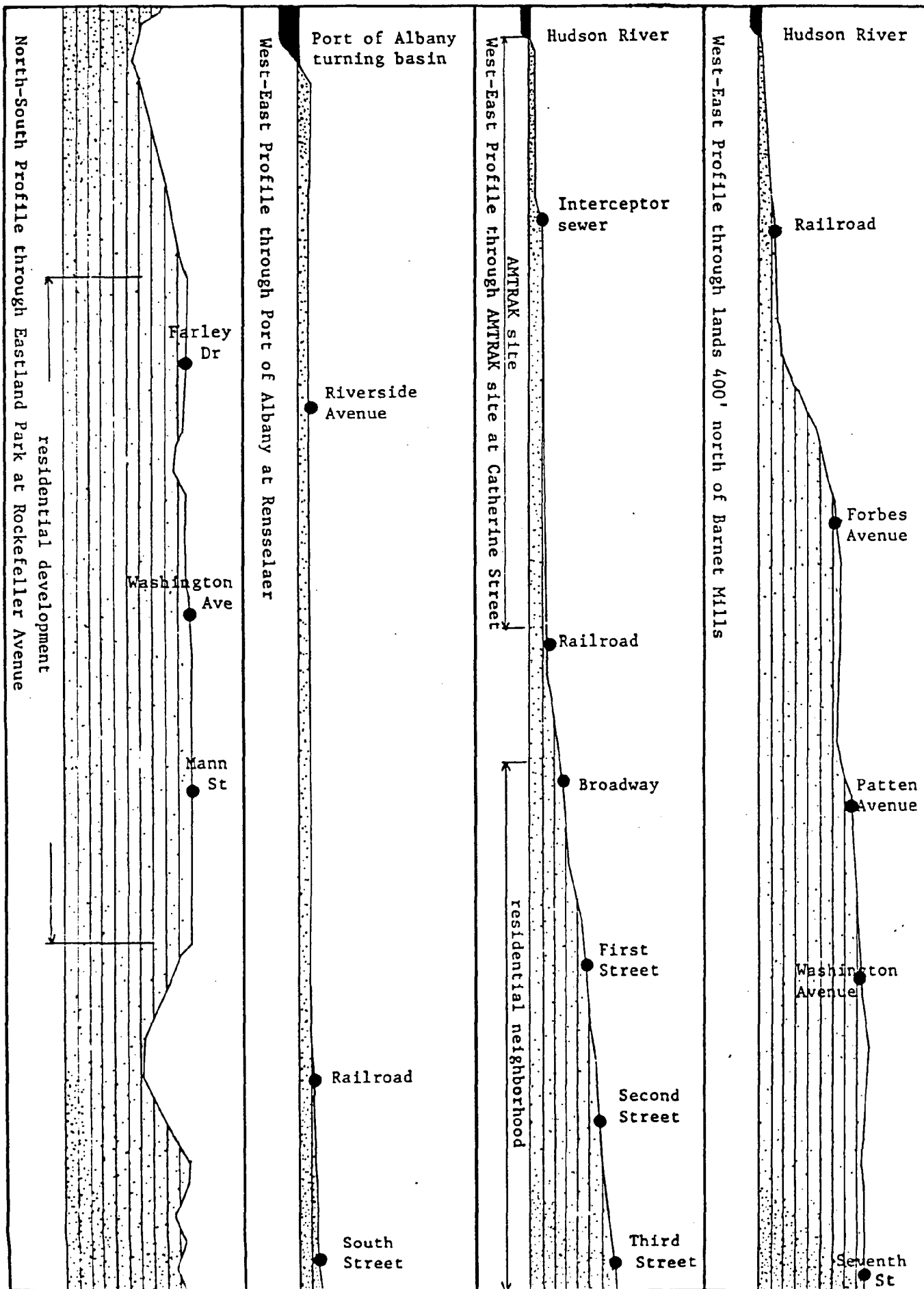


FIGURE 9: RELIEF PROFILES



- o The "Big Hollow" - a deep north-south ravine along the central eastern boundary of the City, through which flows the Quackenbush Creek. Slopes along both the east and west sides of the Big Hollow range from twenty-five percent to nearly vertical.

water resources

An inventory of the surface waters of the City of Rensselaer is clearly dominated by the Hudson River. The Quackenbush Creek and the Mill Creek are tributaries of the Hudson flowing through Rensselaer. While the Quackenbush drains only the Big Hollow and its immediate environs, Mill Creek is considerably more significant, for its drainage basin of some fifteen and eight-tenths square miles includes major urbanizing portions of the Town of East Greenbush. Two noteworthy features along Mill Creek are a picturesque water fall as the stream breaks sharply down the escarpment to the west of High Street, and Huyck Pond created by the low dam just east of Broadway. A high degree of silting is currently present in both streams.

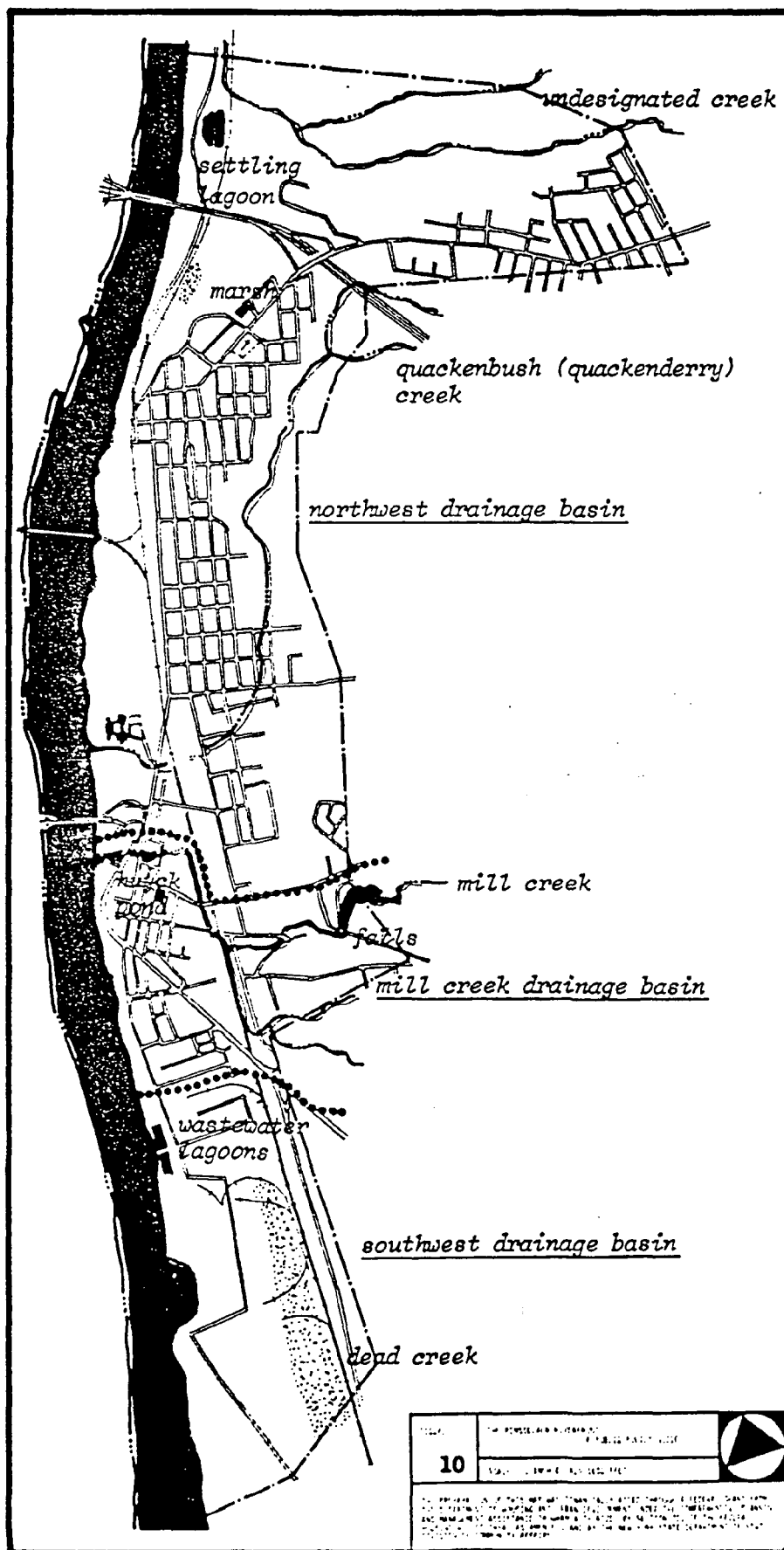
The Hudson River at Rensselaer is a tidal estuary, some 800 to 1000 feet in width, with a channel depth of thirty-two feet at the Port of Rensselaer. The mean tidal range is recorded as five and three-tenths feet, with a low water level of about three feet below mean sea level. The area from the Hudson's junction with the Mohawk River at Waterford to its mouth some one hundred and fifty miles south at New York Harbor, thus including the Rensselaer Riverfront, is considered part of the Lower Hudson Drainage Basin.

The only non-flowing surface water bodies are a man-made settling lagoon complementary to the gravel washing operation north of the Patroon Island Bridge and a waste-water treatment lagoon in the Port-Industrial District.

The City is divided into three natural drainage areas, being divided by Mill Creek which drains the lands generally north of the Port and south of Third Avenue. These drainage areas and surface waters are shown on Figure 10.

flood-prone areas

Perhaps the most significant natural characteristic of the City of Rensselaer is a strong susceptibility to flooding along its western edge, the Hudson Riverfront. The associated planning implication is an absolute necessity to comply with the full requirements of the National Flood Insurance Program, as was discussed earlier.



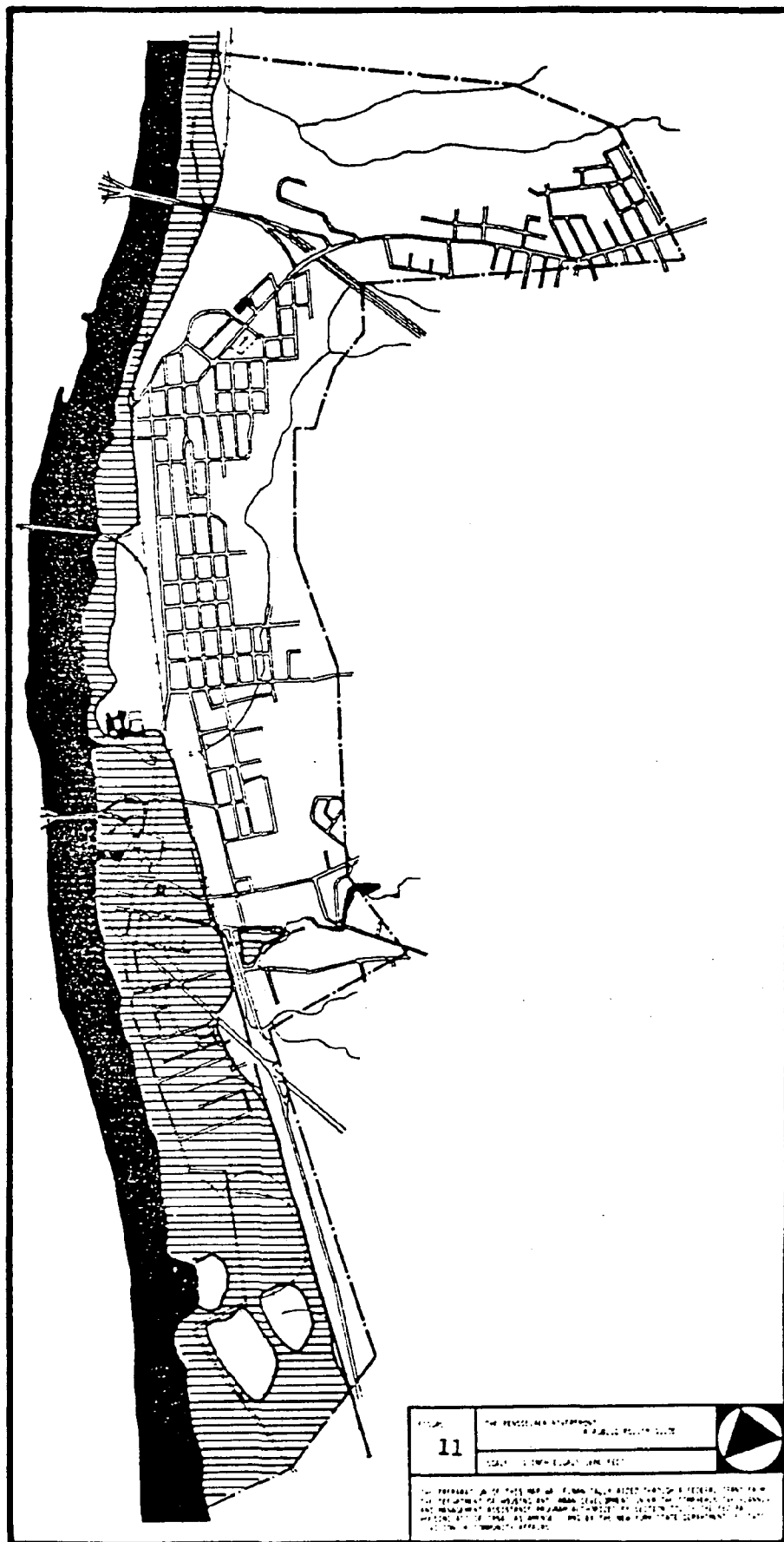
The City received a preliminary Flood Hazard Boundary Map from the Federal Flood Insurance Administration on 26 July 1974. This notification identified nearly all of the City to the west of the Penn Central and Troy-Greenbush Railroad tracks as a "special flood hazard area;" exceptions were made for two major areas, lands immediately east of the turning basin at the Port of Rensselaer and extending into the northeast corner of the tank farm and, secondly, the High School site, where adequate attention was given to possible flooding during the design and construction phase, and the eastern two-thirds of the lands now of AMTRAK immediately to the north. In the preparation of its initial application for certification under the National Flood Insurance Program, the City was in communication with the United States Geological Survey concerning approximate 100-year flood elevation (the design standard included the legislation for determining the boundary of the flood fringe area). Twenty feet, plus or minus a foot, was reported as approximate 100-year flood elevation at the Patroon Island Bridge, and nineteen feet, plus or minus a foot, for the riverfront area from the Livingston Avenue railroad bridge south to the City limits.

During the course of this study, the initial updating of this flood hazard information was received from a consulting engineering firm under contract to the Federal Flood Insurance Administration. Their map essentially substantiated the earlier information provided by USGS and somewhat refined the map of July 1974. This latest map serves as the basis for Figure 11.

The USGS has also provided a set of preliminary figures derived from a standard, machine-run hydrological calculation of flood elevations for a location behind the old Federal Building in Albany, where a gauging station has been operational for several decades. All elevations reported refer to mean sea level and give an indication of frequency and elevation of flooding to be expected on the Rensselaer Riverfront. The actual number of occurrences of such flooding since 1930 has been compiled using freshet data obtained from the Army Corps of Engineers:

<u>Flood Frequency</u>	<u>Flood Elevation</u>	<u>Actual Occurrences Past 45 Years</u>
2 years	8.6'	30
5 years	11.2'	9
10 years	13.1'	6
25 years	15.9'	3
50 years	18.3'	1
100 years	20.8'	last occurrence 1913
200 years	23.6'	last occurrence unknown
500 years	27.8'	last occurrence unknown

flood hazard areas



The actual occurrence data would suggest the projections to be, if anything, conservative. These elevations might be interpreted more easily by giving the elevation of several readily-identifiable street intersections within Rensselaer:

- o Columbia Street at Broadway 16' (approximate)
- o Columbia Street at Aiken Avenue 13' (approximate)
- o Aiken Avenue at Broadway 17' (approximate)

Using these figures, for example, it is easily seen that a 100-year flood (a flood which has a probability of occurring once each hundred years, but may occur any number of times during that period, even in successive years) would place the intersection of Columbia Street at Broadway under four and eight-tenths feet of water. Seven and eight-tenths feet would be standing at the intersection of Columbia Street and Aiken Avenue. Similar flooding has been recorded in Rensselaer in the past. The floods of March 1913, March 1936, September 1938 and January 1949 are statistically the most substantial at Rensselaer. The March 1913 flood is the only one of these which preceded the Hudson River Regulating District's construction of the Sacandaga Reservoir Dam in 1930 which, though primarily designed to augment low flows in the Hudson during periods of little precipitation, does have incidental flood control benefits. Maximum flood elevation data for these four occurrences on the Hudson River at State Street in Albany are, according to the Army Corps of Engineers, as follows:

- o March 1913 21.45'
- o March 1936 17.86'
- o September 1938 16.49' (when clock stopped)
- o January 1949 18.75'

These data indicate, for example, that the calculated 25-year flood elevated was actually exceeded thrice within the thirteen-year period of March 1936 through January 1949, and further that there have been no such occurrences since that time.

ENVIRONMENTAL STANDARDS

As pointed out in the earlier discussion of Federal and State programs and policies that impact existing and potential development activity in Rensselaer, an increasing emphasis is being given to environmental standards, particularly in terms of water and air quality. The issue of noise is also being addressed.

*water
quality*

Surface waters are classified, as shown below, according to "best usage," that is, the usage of the water requiring the highest level of quality standards and considered to be in the best interest of the public.

<u>Class</u>	<u>Best Usage</u>
AA & A	Water Supply
B	Bathing and Recreation
C	Fishing
D	Agriculture
E	Sewage and Wastes/Transportation
F	Sewage and Waste Disposal

The recommended classifications for the surface waters of the Hudson River, Mill Creek and Quackenbush Creek in the City of Rensselaer are "C". The classification is based on the results of water sample analyses and pollution source investigations. Studies prepared by the Water Resources Commission for the New York State Department of Health recommend such a "C" classification for that part of the Hudson River between its confluence with the Mohawk to the southern boundary of Rensselaer County. Downstream recommended classification of the Hudson is considerably higher, broadening its recreational potential.

The recommended "C" classification implies that the water can not be used as a water supply source for public consumption, food processing, or contact recreation, such as swimming. However, water classified "C" is considered suitable for fishing (barring PCB's as an issue) and activities such as agriculture, industrial cooling and transportation.

Continuing improvement in the actual water quality of both the Hudson and its tributary streams is expected to improve as a result of sewage treatment plant construction and new waste treatment policies at the State and Federal levels requiring treatment of all domestic and industrial wastes before discharging into the river.

air quality

Definitionally, "air pollution" is any substance in the air which is potentially injurious to health, property and vegetation. Air pollutants are, therefore, both physically and economically harmful. Carbon monoxide (CO), sulfur oxide (SO₂), nitrous oxide (NO₂), hydro-

carbons (HC), particulate matter and ozone are the primary air pollutants addressed.

Certain environmental factors, with an emphasis placed upon climate and topography, affect air pollution. Wind and air influence the travel of pollutants, in terms of speed and direction. Air temperature inversion, for example, prevents the transporting of pollutants from their point of origin. Precipitation has a reverse impact; it cleanses the air of pollutants.

The valley topography heightens the potential for surface inversions which trap air pollutants near their origin. Such surface air inversions can subject populated and industrialized valley areas to critical accumulations of pollutants, creating what is referred to as an "air pollution episode."

Air classification levels in the Capital District Region range from level 1 to level 3. Rensselaer is included in the level 3 classification, and must meet level 3 air quality standards (air contaminant measures) as determined by the New York State Department of Environmental Conservation.

An air monitoring station in the City of Rensselaer recorded air pollution levels for a one year period ending 30 June 1974. The following annual air pollution averages in parts per million were recorded and are here compared to the level 3 standard:

<u>Air Pollutant Type</u>	<u>Rensselaer</u>	<u>Annual Mean Standard</u>
SO ₂	0.017	0.030
CO	2.5	9.
NO	0.015	
NO ₂	0.020	0.050
Particulates	62.	100.
Ozone	0.020	0.080

While any anticipated industry in Rensselaer would be subject to EPA regulations for particulate and gaseous emissions, increased industrial activity, in itself, would not force the occurrence of an air pollution episode.

DEVELOPMENT CHARACTERISTICS

A city builds its future upon the foundation of existing development. Intensive surveys have, therefore, been undertaken so that the key development characteristics of Rensselaer may be understood and evaluated. Some important sound resources - building blocks for the future - have been identified. So too have a number of critical problems that require immediate attention and long-term public commitment for their remedy.

The following development characteristics are discussed in the pages to follow:

- o the pattern of development
- o key historic resources
- o existing land use
- o population distribution
- o housing
- o parks and other community facilities
- o transportation
- o available public utilities, particularly water and sewer

Land ownership information has also been compiled for the riverfront and is found at the end of this section.

the development pattern

Development considerations critical in Rensselaer in the 1800's cause the type of land use and the particular densities of development to be what they are today. The pattern of development is typical of industry-driven river valley communities that prospered in an era when the attractive advantage was a key riverfront location for trade and the mode of urban travel was restricted to either foot, the waterways, or the railroads.

The riverfront flat was developed for industrial, mercantile, and railroad activity. This early development restricted in large measure both its availability and its desirability for park, institutional or residential use. The working class, reliant upon the riverfront activity for its livelihood and its feet for its travel, settled in close proximity to the riverfront. This residential development occurred primarily on the bisected hillsides and less elevated sections of the plateau, and was supported by a strong north-south street pattern.

Later development, with the advent of the automobile, moved beyond the first ridge of the upland plateau. There, today, can be found the Eastland Park area of Rensselaer and the suburban communities of East and North Greenbush.

Communities, such as Rensselaer, which were influenced by this attractive advantage of the river valley, are now facing problems which are, rather simply stated, a result of this topographic influence. Steep slopes and narrow flood plains have increased flood hazards and the problems of air and water pollution. Existing congestion and limited space for expansion have caused these communities to be passed over as development spreads out into the flat and rolling plateau areas beyond the valley and its escarpment. Consequently, land values within have declined and new investment has, in most instances, been limited.

The residential development that occurred on relatively steep slopes as the result of the shortage of more easily-accessible level land suitable for building has become increasingly blighted in recent years. This property represents a decreasing taxable valuation in comparison with the increasing cost of providing full public maintenance and services. Many of these same structures are substandard and have become either vacant or tax delinquent property.

This problem, discussed later in this section, is not unique to Rensselaer, though perhaps in some instances it is more severe here.

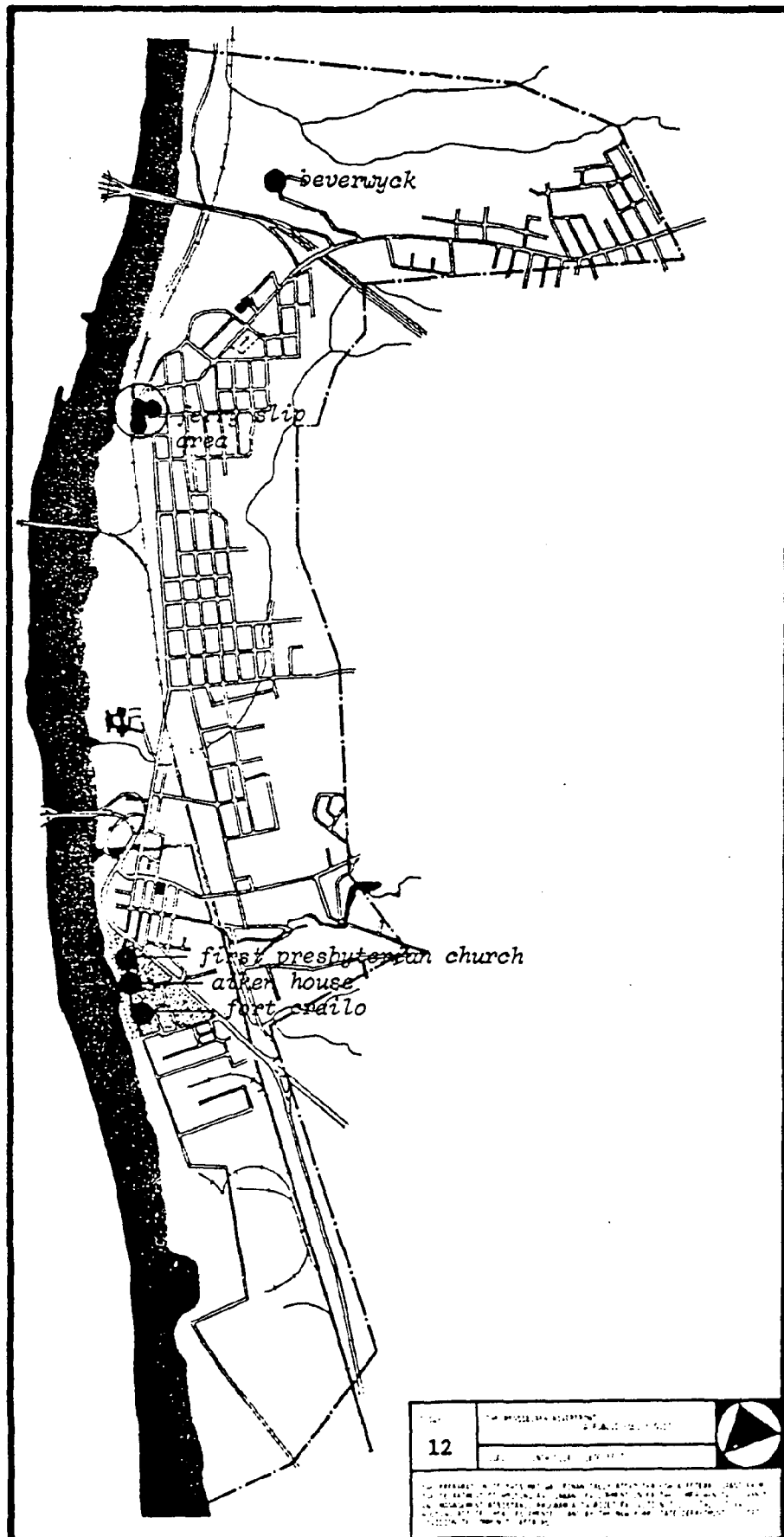
*historic
resources*

The City of Rensselaer is but a small part of the 1628 grant of lands of the first patroon, Kiliaen Van Rensselaer. The City itself was incorporated in 1897, long after much of its development, from the villages of East Albany, Greenbush and Bath-on-Hudson.

Surveys of key historic buildings throughout this region typically include three structures extant in Rensselaer. These are the Aiken House (1818), Fort Craillo (c. 1700), and Beverwyck (c. 1840). While the latter two structures are well maintained, and their future apparently is assured by virtue of ownership by the State of New York and the Franciscan Fathers, respectively, the Aiken House has a less certain future. The structure has suffered from fire, water and weather damage, been abandoned, and ravaged by vandals. Today it is little more than a shell.

Standing in private ownership at the corner of Broadway and Aiken Avenue, and having been constructed by William Aiken who was the founder of the Village of Greenbush, the Aiken House has been a long-standing

historic
resources



anchor in the "historic preserve," a residential neighborhood so provided for in the City's zoning ordinance. Other notable buildings in the historic preserve include the First Presbyterian Church and an outstanding row of mansard-roofed rowhouses along Riverside Avenue.

Some historic import has been attributed to part of the Bath-on-Hudson settlement in the north of the City, near the old ferry slip. In addition to the remains of the ferry slip, one of the older homes in Rensselaer, a modest stone structure at the corner of Central Avenue and Broadway, a Van Rensselaer manor house, and an old tavern are extant there. Considerable alteration of the original structures is evident. Documentation of the significance of the area and its structures is sparse at this time.

Location of these structures and districts is shown on Figure 12.

*existing
land use*

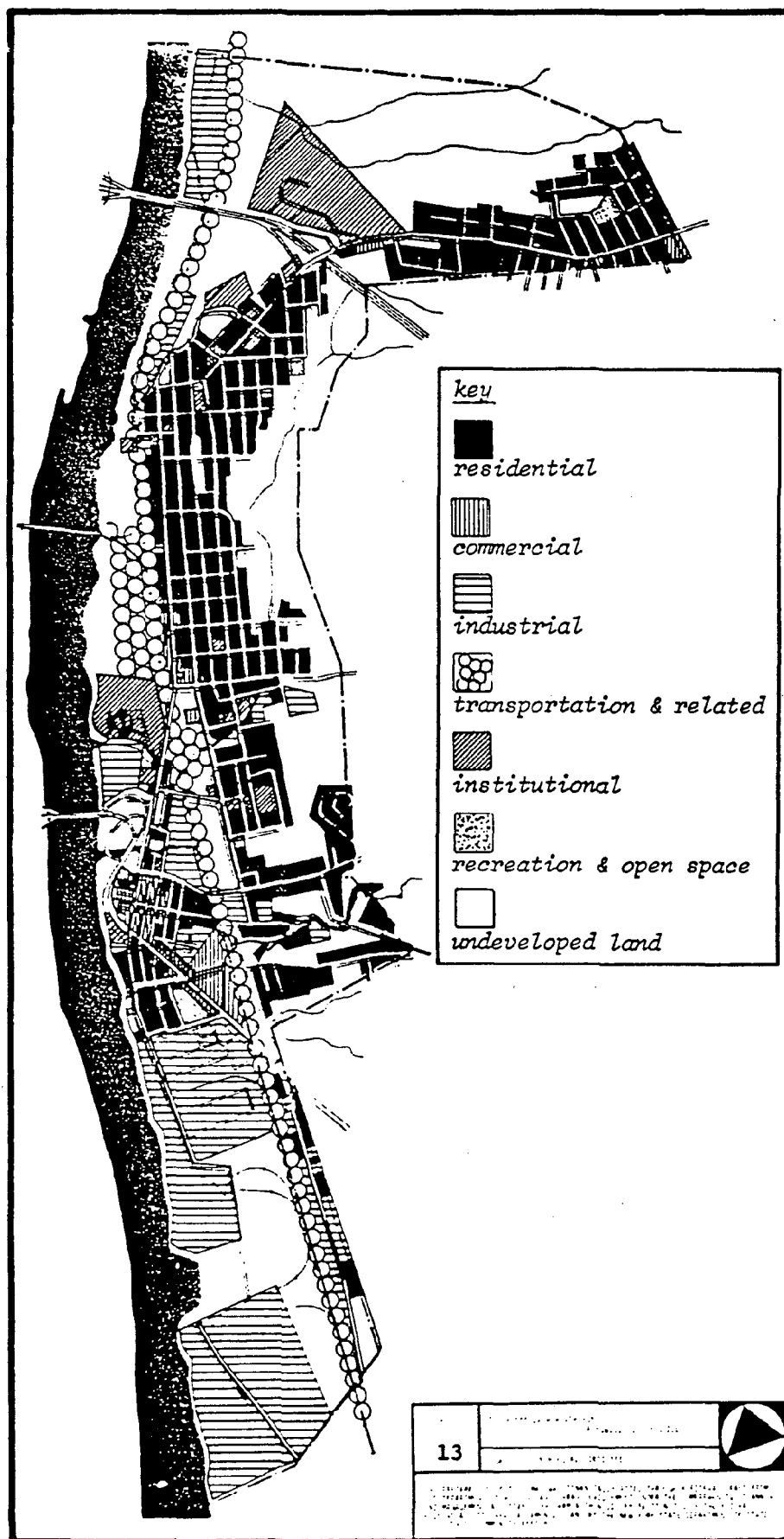
During the course of this study, a detailed land use survey was conducted and a detailed land use map drafted at a scale of 1" = 200'. This detailed land use information has been generalized for report purposes and is presented as Figure 13.

Seven principal land use functions occur in Rensselaer. Discussion of location, intensity and extensiveness of use is provided for each of the following functions:

- o Residential use
- o Commercial use
- o Industrial use
- o Transportation and related uses
- o Institutional use
- o Open space and recreational use
- o Undeveloped land

Residential use (300 acres, 18 percent of the City's land area) occurs in four primary areas of the City. To the south, east and north of the business district, primarily wood frame structures house nearly equal numbers of single-family, two-family and multiple-family units. Most of this residential development is sixty to a hundred years in age and developed at a density of five to ten structures per acre. East of the railroad, on the hillsides and in the ravines between Aiken Avenue and Partition Street, housing of similar age and construction occurs. Most of the development, however, is single-family, with perhaps twenty-five percent in two-family units and a very limited number of multiple units.

land use



Lot sizes tend to be larger, with increased private yard. New residential development has also occurred here, the Aiken Avenue Public Housing Project, the Mallview Apartments, and the Willow Ridge Apartment development, each at some twelve to sixteen units per acre. A 1960's residential subdivision occupies high ground east of Lawrence Street in the St. John's neighborhood. The third area extends from Partition Street north to Interstate 90 and from the railroad tracks east to the Hollow. Here, residential development of fifty to more than one hundred years' age is again primarily wood frame, and constructed at five to ten structures per acre. The structures are evenly distributed between one-family and two-family units, with a sprinkling of multiple units throughout, somewhat more so on the streets of lower elevation, particularly Broadway. The fourth area of residential development is the Eastland Park area developed since the 1930's in the northeast appendage of Rensselaer. Almost exclusively single-family housing occupies inner suburban-type lots of three to five dwelling units per acre.

Commercial use (40 acres, 2.5 percent of the City's land area) is found along the primary business streets, Broadway and Columbia Street. Broadway and, to a limited degree, Washington Street constitute the "central business district" between Columbia Street and Third Avenue. Additionally, a strip commercial center (the Joy-Grossman-Albany Public Market area) and the usual commercial strip gas stations, car wash and hamburger establishment are found along Columbia Turnpike. Neighborhood commercial establishments north of Third Avenue are found primarily near the intersections of Broadway and Partition Street and Washington Avenue and Third Street.

Industrial use (240 acres, 15 percent of the City's land area) occurs primarily to the south of Belmore Place, where the southernmost 7000 feet of Rensselaer Riverfront is devoted to industry. Proceeding south from Belmore Place, one would pass the lands of Winthrop Laboratories, GAF Corporation, the Port of Albany at Rensselaer, and the oil tank farm operations. Huyck Felt Corporation between Third Avenue and Herrick Street, Zappala Block on the riverfront between the Department of Transportation bridge ramp lands and the High School, and the Albany Woolen/Blue Line Terminal/Bult Printing business to the south of the residential area along Second Avenue all fringe the City's downtown district. Construction-related industry - equipment repair, warehousing and outdoor storage - is found at several locations east of

East Street. North of Partition Street, the only major industrial land uses are the Barnet Mills at the foot of Forbes Avenue and the gravel processing operations on the riverfront north of the Patroon Island Bridge.

Transportation and related uses (345 acres, 21 percent of the City's land) include the local street system, major highway rights-of-way owned by the State Department of Transportation for Interstate 90 and the Dunn Memorial Bridge ramps, and railroad properties. The railroad properties include not only the operating track of AMTRAK and the Troy-Greenbush Railroad, but additionally the AMTRAK passenger station along East Street between Partition and Herrick and the forty-two acre site of the turbotrain maintenance facility currently under construction on the riverfront to the north of the High School.

Institutional uses (142 acres, 9 percent of the City's land area) include all public and quasi-public uses. Included are the City Hall, five stations, the school sites, churches, cemeteries, and similar spaces. The largest institutional use in Rensselaer is the acreage controlled by the Franciscan Fathers immediately north of Interstate 90. The largest public parcel is the school site, central to the riverfront.

Open space and recreational uses (13 acres, or less than 1 percent of the City's land area) include eleven small neighborhood playgrounds and playfields throughout the City. Five acres of recreational use at the High School site is also included, as are three small "parks" located at Huyck Square, City Hall and opposite Fort Crailo.

Undeveloped land (585 acres, 35 percent of the City's land area) is generally distinguished by the feature of being also unbuildable due to its natural characteristics. Exceptions will be discussed in the OPPORTUNITIES section of this report.

These uses total some 1665 acres. Rensselaer's remaining 215 acres (some 11.5 percent of the total area within the corporate limits) is water surface, primarily the Hudson River.

A land use pattern present in Rensselaer, as it is in most older cities, is the phenomenon of mixed use. Land uses are not separated from one another by concrete barriers, but do in many instances, intermingle.

Often this occurrence is beneficial - for example, a park or a school or a neighborhood grocery store in a primarily residential area of residences on upper floors in a business district so that the district does not suffer from only a nine to five life. Sometimes, though, severe intrusion results - to the disbenefit of one or both of the uses. Vivid examples of such problem areas are found in Rensselaer: scattered industrial uses in primarily residential areas to the east of East Street and near upper Second Avenue, a number of residential structures lost in the sea of highway industrial (trucking, warehousing, and repair) uses along South Street, and residences having succumbed to the incompatibility of location immediately adjacent to a major traffic artery, Columbia Street.

*population
distribution*

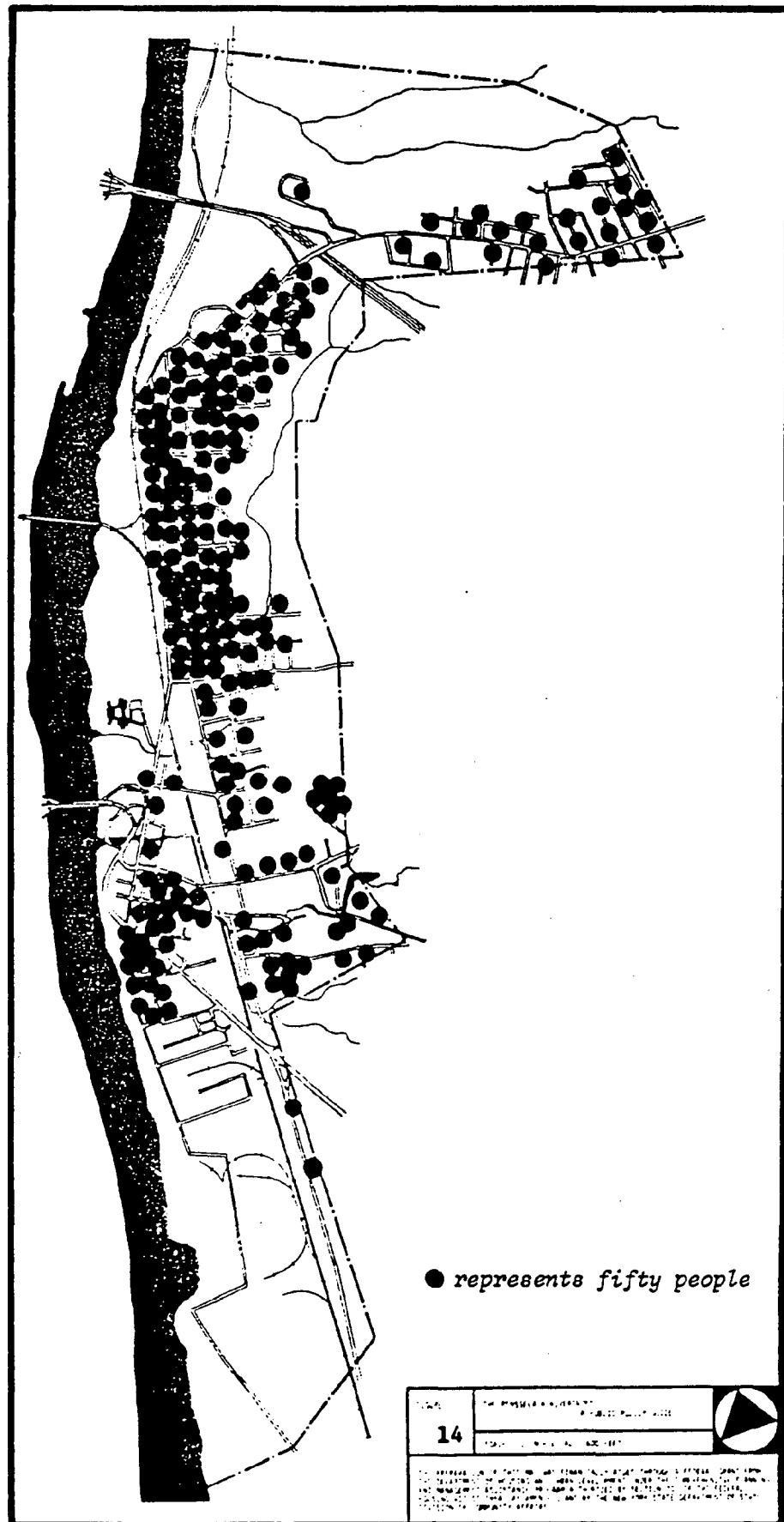
The varying intensity of residential development throughout the City is illustrated by a map of population distribution. Figure 14 has been drafted based upon the 1970 United States Census data for Rensselaer. The data have been updated in two locations where dramatic changes have occurred - the post-1970 opening of the Aiken Avenue Housing Project by the City's Housing Authority and the private sector's major contribution to the City's housing stock, the Willow Ridge Apartment complex.

Each dot on Figure 14 represents the center of a population of fifty persons. Such information is a particularly important consideration in allocating public resources. Experience holds, for example, that higher densities require higher levels of protective services, like fire and police protection. As a second example, major programs and facilities should be designed and located to be easily accessible to the greatest number of potential users.

A brief review of this population distribution map reinforces how little of the land in Rensselaer is used to house the City's residents. The concentration of population in the central area generally bounded on the south by Partition Street and on the north by Washington Avenue is clearly evident. So too are the lesser concentrations to the east of the business district and in the historic neighborhood south of Columbia Street. As contrasted to the density seen in the central area which housed approximately 5400 of Rensselaer's 10,136 residents in 1970, the lower suburban-like density of Eastland Park with its 1100 residents is apparent.

A final observation concerns the intimate relationship possible between a majority of Rensselaer's residents and the City's underutilized riverfront lands. 7700, or more than 75 percent live within a half mile of water's edge.

population
distribution



housing

The City Master Plan reported a 1967 field survey by Candeb Flessig and Associates of the condition of housing in Rensselaer which indicated that 679 units, or twenty percent, of the City's housing was in deteriorating condition and that 144 units, or four and two-tenths percent, was in dilapidated condition.

According to the 1970 Census, 112 dwelling units, or three and three-tenths percent of the housing stock, lacked some or all plumbing facilities. The 1970 Census further indicated that 102 units, or three and one-tenth percent, of the housing units were overcrowded. 2840 of 3411 dwelling units or some eighty-four percent, were constructed prior to 1939. Modern housing thus comprises only a small percentage of the total City housing stock, indicating that much of the housing in the City has extremely outdated electrical, heating insulation, and plumbing systems.

A generalized map of the areas of blight and substandard structures was also prepared by Candeb Flessig in 1967. This map served as the basis for a 1976 structure-by-structure survey of housing conditions. In the area generally bounded by Third Avenue on the south, Washington Avenue on the north, the Hudson River on the west and the City line on the east the following survey data were generated:

<u>No. Residential Structures</u>	<u>Percent</u>	<u>Condition</u>
510	43.	sound structure with reasonable maintenance
591	50.	minor rehabilitation required
71	6.	major rehabilitation required
9	1.	abandoned, removal required

Using the same survey, the following data can be reported for that section of this area west of Third Street, generally considered the area of highest concentration and most severe housing blight in the City. This survey information is shown on the following page.

As a contrast to the data given, the same 1976 survey classified less than one percent of the 370 residential structures within the City and east of Interstate 90 as requiring even minor rehabilitation.

<u>No. Residential Structures</u>	<u>Percent</u>	<u>Condition</u>
67	13.	sound structure with reasonable maintenance
386	75.	minor rehabilitation required
56	11.	major rehabilitation required
7	1.	abandoned, removal required

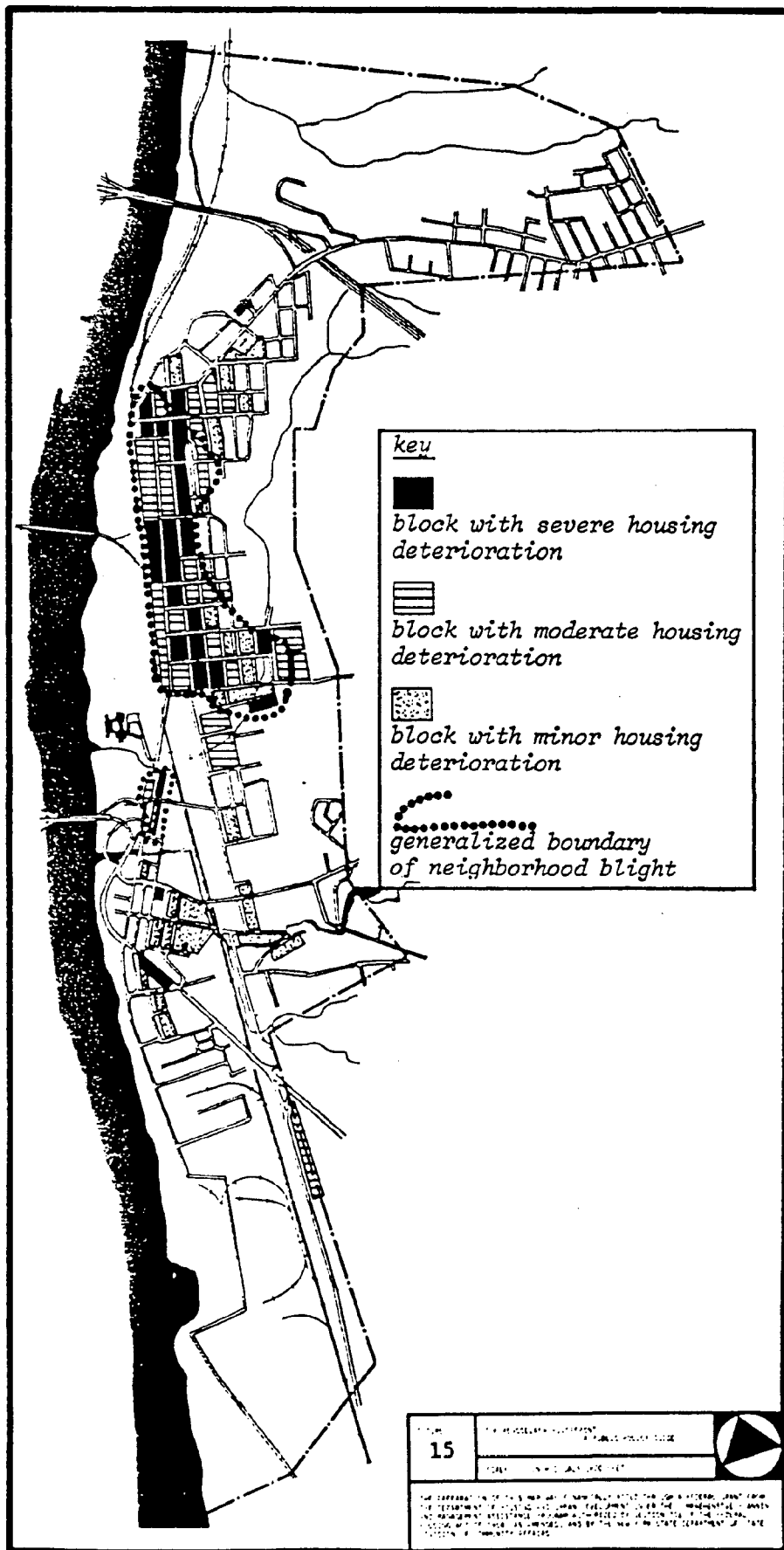
When compared to the data collected some nine years earlier by Candeub Flessig and Associates - including a review of the criteria employed - it is clear that an even greater, cancerous deterioration of Rensselaer's housing stock has occurred as the community has moved through the early 1970's.

Figure 15 summarizes this survey information on housing conditions in Rensselaer and illustrates the generalized areas of neighborhood blight.

Mean, or average, residential property values were reported by the 1970 Census on a block-by-block basis for Rensselaer. These data, strongly paralleling the previously discussed survey information, have been mapped as Figure 16 and are summarized below:

- o Residential structures with a 1970 mean value in excess of \$16,000 are found throughout all blocks in Eastland Park, that area of the City east of Interstate 90. This mean value also occurs along the northwestern fringes of the Big Hollow and at five isolated block locations throughout the City, two blocks north of Washington Avenue, one block to the east of St. John's where new subdivision activity has occurred and at locations along High Street and Aiken Avenue.
- o Residential structures with a 1970 mean value of between \$12,000 and \$16,000 are found generally in the area south of Partition Street and east of East Street, along Third Street between Glen and Church Streets, and in the northern areas of Fourth and Fifth, Sixth, Seventh, Eighth and Ninth Streets. About one half of the "historic district" is also included in this group.

housing condition/
neighborhood blight



key

1970 mean value
less than \$12,000

1970 mean value
between \$12,000 and \$16,000

1970 mean value
more than \$16,000

note: data not available
for residential structures
within central business
district

16	THE CHICAGO METROPOLITAN AREA: A PROFILE OF THE CITY AND METRO AREA
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- o Residential structures with a 1970 mean value of less than \$12,000 are found generally between Partition Street and lower Washington Avenue, on Broadway near City Hall, and to the south and east of the business district.

The 1976 Housing and Community Development Act pre-application included other significant data with regard to residential property value in Rensselaer. Owner-occupied properties in the City were indicated by the 1970 Census as having a median value of \$13,200. This figure was the eighth lowest median value recorded among 155 New York State communities of at least 10,000 population. The median contract rent of \$68 per month tied Rensselaer for tenth lowest among the same 155 communities.

It is, of course, recognized that mean value is not solely an exact indicator of conditions, that it is more a combination of conditions and market. An extremely low mean value, such as Rensselaer's, does though substantiate the depressed state of both market demand for housing in Rensselaer and structural condition of housing in Rensselaer.

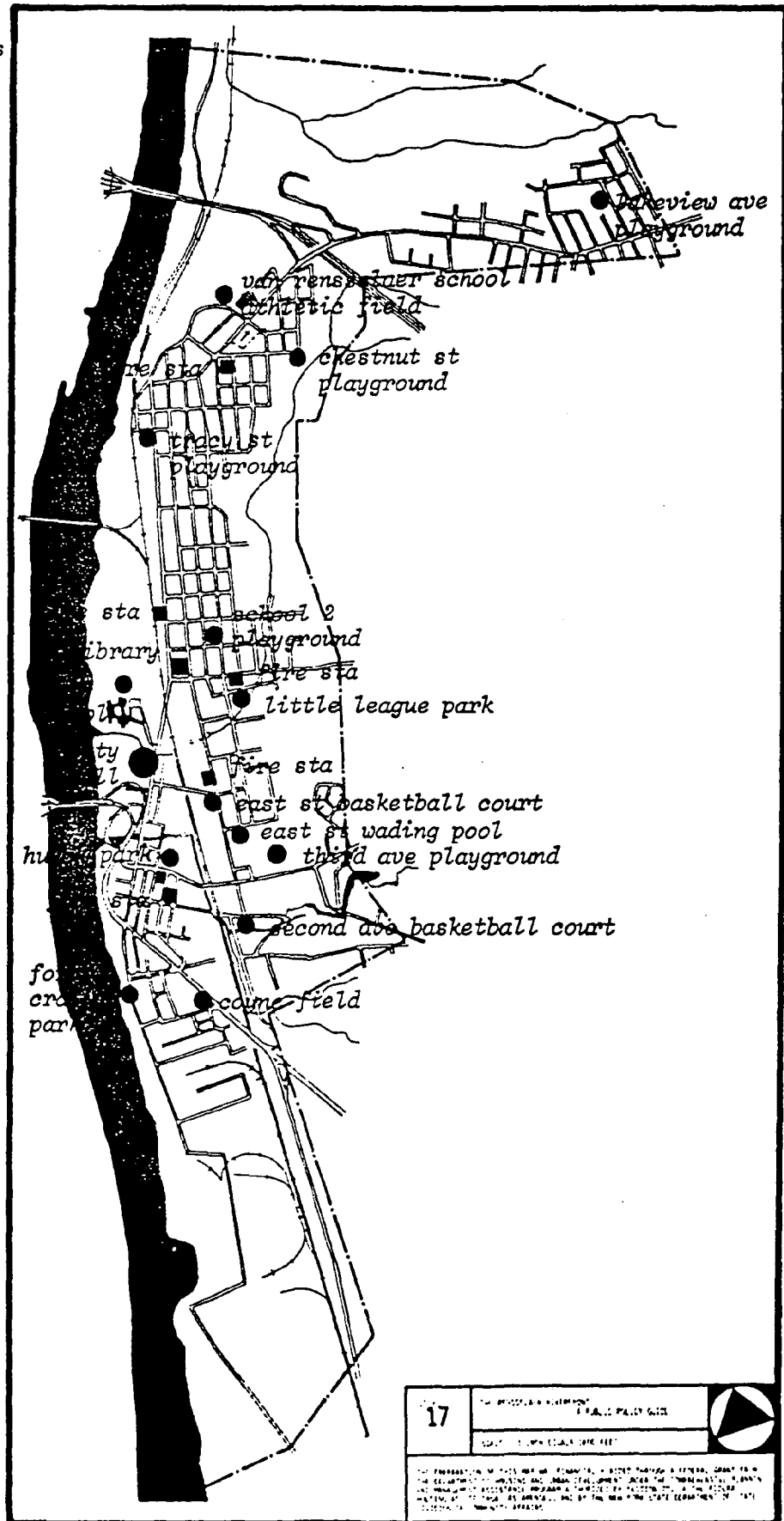
*parks and
other
community
facilities*

Parks and other community facilities in Rensselaer are mapped on Figure 17.

Eleven small neighborhood playgrounds and playfields are located throughout the City. Each is small, with limited outdoor sports and play equipment. These are presented below:

o	Little League Park Lawrence Street	Baseball	.5	acre
o	Coyne Field	softball/ limited playground	1.5	acres
o	Third Avenue Playground	playground/ playfield	.5	acre
o	Tracy Street Playground	playground	.25	acre
o	Chestnut Street Playground	playground	1.0	acre
o	Lakeview Avenue Playground	playground/ playfield	1.0	acre

parks/
community facilities



- o School No. 2 playground .5 acre
- o East Street
Basketball Court basketball .125 acre
- o East Street
Wading Pool play area .5 acre
- o Second Avenue
Basketball Court basketball .125 acre
- o Van Rensselaer playground/
School playfield 1.0 acre
Athletic Field

The Rensselaer Junior-Senior High School site includes an additional five acres of recreational space, including the baseball field, football field, and tennis courts.

Three limited passive park spaces are found in the Rensselaer Huyck Square, adjacent to City Hall and along the riverfront at Fort Crailo. These total perhaps one and five-tenths acres. The small ornamental park opposite Fort Crailo is, in fact, Rensselaer's only river-front recreational space.

transportation

The existing transportation facilities which serve Rensselaer may be discussed as five functional components:

- o major streets and highways
- o local streets
- o bus transportation
- o rail transportation
- o water transportation

Major streets and highways. Each of the major links in the system of streets and highways serving the City of Rensselaer and its immediate environs has been functionally classified by the New York State Department of Transportation in one of the following five categories:

- o Freeway (Interstate) - High-speed, high-capacity divided highway with access at interchanges only. Serves major through-traffic corridors and important travel corridors within the larger urban areas.
- o Principal arterial - Major street or road carrying high-volume, longer-distance traffic. Provides continuity to rural arterials entering the urban area. Traffic and parking controls should give priority to traffic service over land access.

- o Minor arterial - Interconnects principal arterials and serves important travel corridors not served by principal arterials. Provides continuity to the rural collector system and serves minor urban activity centers.
- o Collector - Collects traffic from local streets and channels it into the arterial system. Serves local traffic movements and land access but carries very little through traffic.
- o Local street - Street primarily for land access to residential, business, or other abutting property; carries no significant through traffic.

This Functional Highway Classification is mapped as Figure 18. These data form an integral component for evaluating projects for inclusion on the CDTC Transportation Improvement Program, as previously discussed.

Limited traffic volume information regarding the City of Rensselaer is also available from the State Department of Transportation. The 1974 DOT Traffic Volume Report includes the data on the following page, Figure 19.

Two terms require definition. The first, AADT, is a total in both directions of "annual average daily trips" on a given section of highway; the second, Design Hour, is an estimate of the thirtieth highest hourly traffic volume in one direction during the prior year.

The City of Rensselaer assembles and maintains no traffic volume data. Therefore, it is impossible to further evaluate the available DOT data in terms of its impact on the local street network.

Local Streets. A strong north-south street pattern serves Rensselaer. Broadway, East Street, First Street and Third Street are the primary local collectors. Each functions less than adequately, with heavy duty traffic, narrow pavement width and parking generally on both sides of the street being major impediments to proper traffic flow. The localized street problems and deficiencies relate to individual areas of the City and are more fully discussed in the OPPORTUNITIES section of this report.

Bus Transportation. The City of Rensselaer is regularly served by the Capital District Transportation Authority. Primary bus routes in Rensselaer serve Washington Avenue, Broadway, Third Street, and the business district area. A special connection is provided to the AMTRAK Station

functional
highway
classification

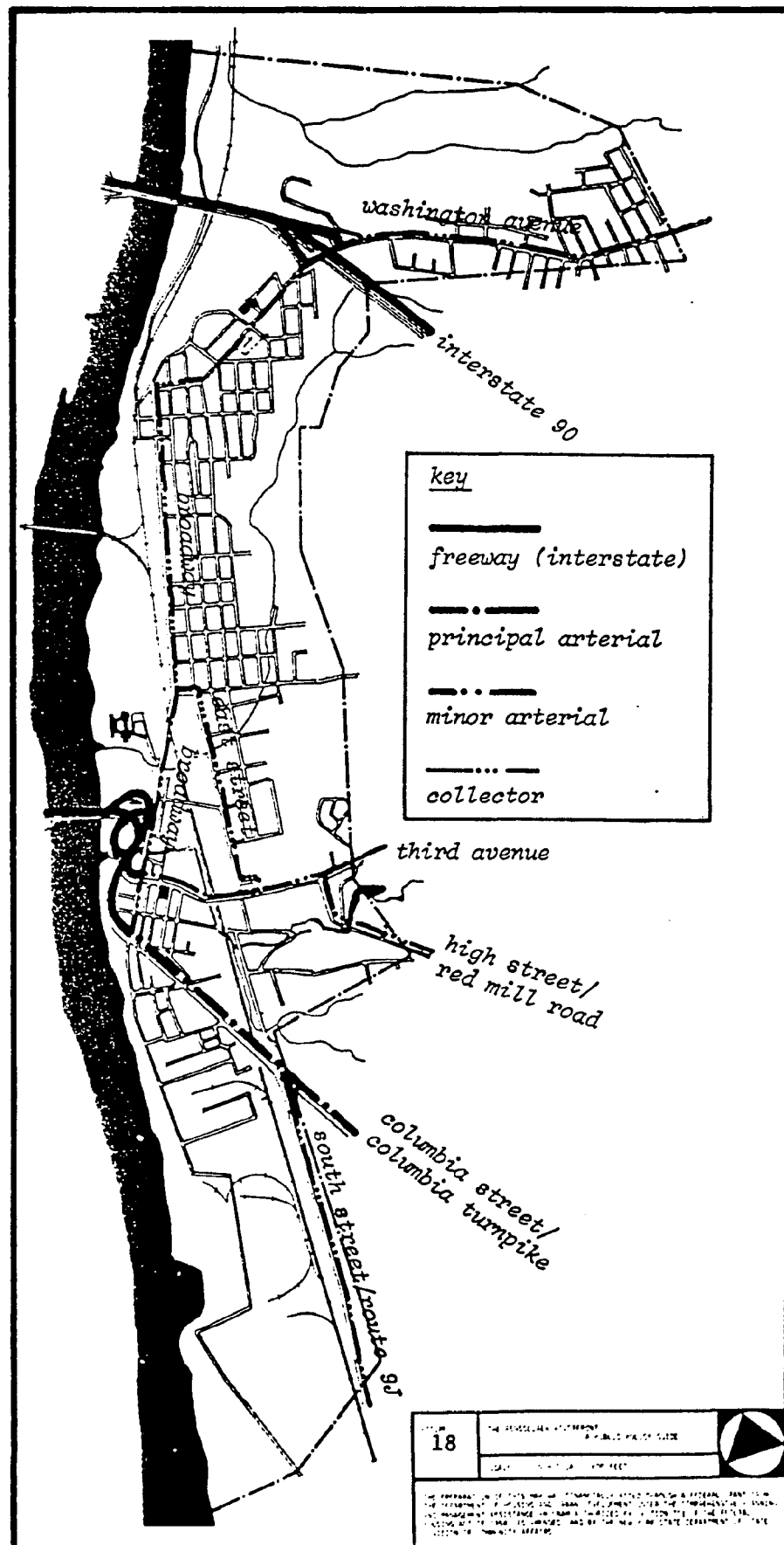


FIGURE 19: TRAFFIC VOLUME DATA (DOT)

	<u>Count Year</u>	<u>AADT</u>	<u>Design Hour</u>
<u>Route 9</u> Sherwood Avenue to Rensselaer South City Line	1972	15,200	1,110
Rensselaer South City Line to 9J	1974	21,100	1,480
9J to Albany County Line	1974	25,800	1,820
<u>Route 9J</u> Hays Road to Rensselaer South City Line	1973	2,750	170
Rensselaer South City	1972	4,400	260
<u>Route 20</u> Rensselaer County Line to 9J	1974	25,800	1,820
9J to Rensselaer South City Line	1974	21,100	1,480
Rensselaer South City Line to Sherwood Avenue	1972	15,200	1,110
<u>Route 43</u> 9 & 20 to Rensselaer East City Line	1972	5,950	440
Rensselaer East City Line to Route 151	1973	3,450	210
Route 151 to Route 4	1973	3,100	190
<u>Interstate 90</u> Rensselaer County Line to Exit 7	1974	35,100	3,720
Exit 7 to Rensselaer City Line	1974	16,500	1,750
Rensselaer City Line to Route 4	1974	16,500	1,750

on East Street. The areas served and the frequency of service are shown on Figure 20. Specific routing and scheduling is, of course, obtainable from CDTA. Local service may be considered good and generally improving. There is no out-of-town bus terminal currently serving Rensselaer or AMTRAK; connection must be made at Albany.

Rail Transportation. The Capital District's major rail passenger facility is located at Rensselaer on East Street. 1974 data compiled by the New York State Department of Transportation reports that eighteen percent of the 1974 New York City - Buffalo corridor traffic was handled at the Albany-Rensselaer Station. 129,977 passengers boarded at Rensselaer, while 130,943 disembarked. Estimates are that passenger traffic at Rensselaer has increased fifteen to twenty percent during the past two years.

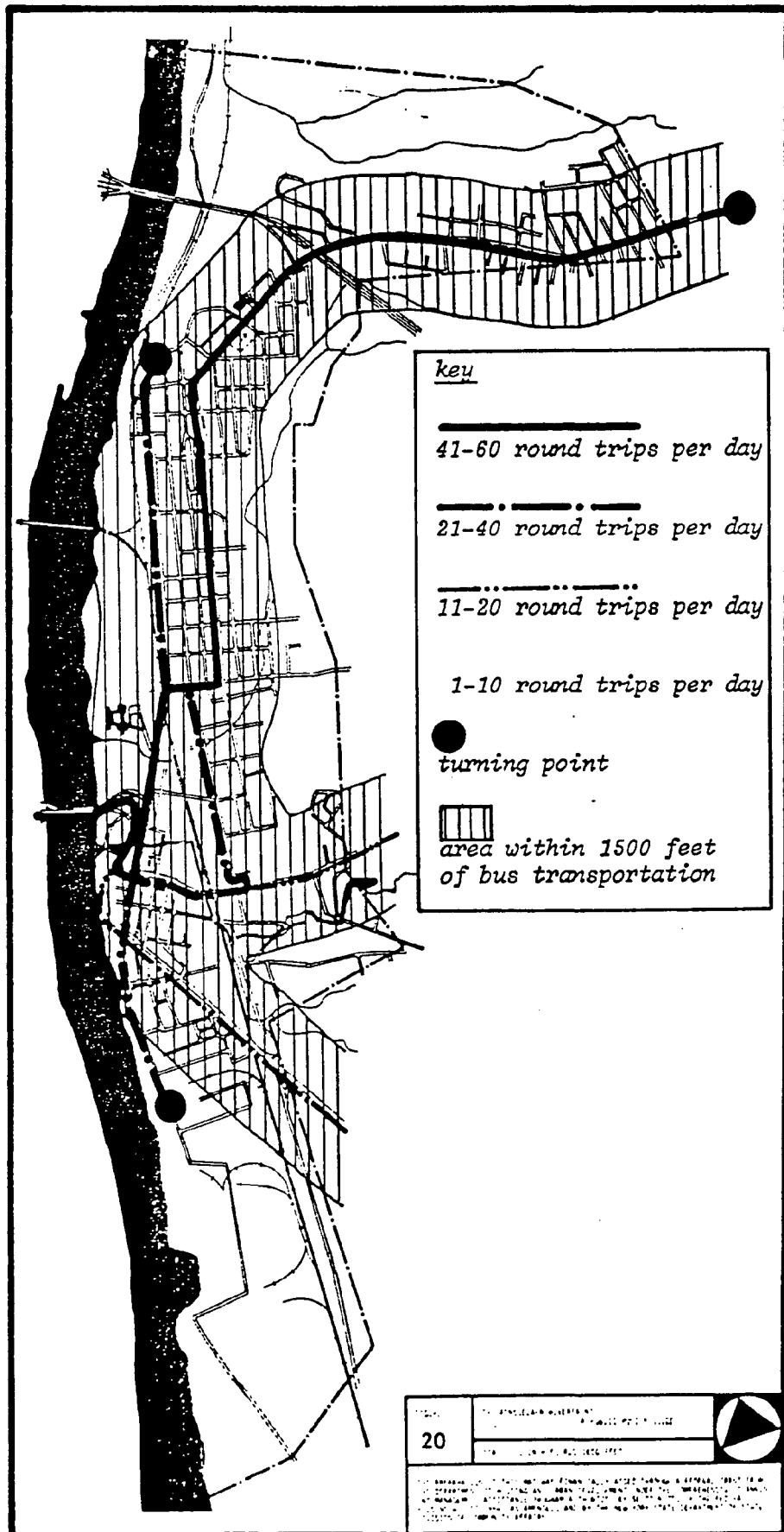
The long-term future of the AMTRAK Station at Rensselaer is uncertain. There is no written commitment to keep the station in Rensselaer, and several major problems exist at the current location - including inadequate and ill-maintained parking facilities, vandalism, a most minimally-designed station, and the problems of interconnection with other transportation modes. There are though no firm plans at this time to return the station to Albany, primarily because, when proposals to move it have been reviewed, suitable sites in Albany have not been found. The situation can be described as "wait and see" at this time; proposed parking improvements as provided for in the CDTC transportation improvement program and improved bus service, as proposed by CDTA could be the foundation for a growing commitment to Rensselaer. The future of this area is discussed under OPPORTUNITIES.

Rail freight service in Rensselaer is available to the City's industries and to the Port area.

Water Transportation. Major commercial water transportation serves the Port at Rensselaer and the oil tank farm. The Hudson River channel was dredged to a depth of thirty-two feet by the Corps of Engineers in 1965 allowing access by thirty-two foot draft ocean-going vessels. The current state of deterioration of the Port dock, particularly after the recent fire, reduces the possibilities here.

The Albany Yacht Club, located south of the DOT lands at Columbia Street, provides launching, docking and storage area for private recreational craft to its membership and friends.

bus transportation



water supply
public
utilities

Recreational Transportation. The muscle power modes of bicycling and walking combine as a sixth functional transportation component. Though they exist informally, these modes have not been formally recognized to date in Rensselaer - like many other cities - except in the provision of sidewalks paralleling the City street system in the most densely developed areas.

The City of Rensselaer Public Water System and the Town of East Greenbush General Water District obtain their treated water supply from the City of Troy by means of a jointly owned thirty-six inch transmission main running south from the City of Troy along Route 4. Three metered connections serve the City of Rensselaer. A ten inch connection to the transmission line at Washington Avenue supplies the northern section of the City as well as some fifty homes in the Van Allen Park section of North Greenbush, a fourteen inch connection extends from a jointly-owned sixteen inch main on Third Avenue Extension and feeds the City's two million gallon storage facility in Rensselaer Heights and connects to the local distribution system on Third Street near Catherine Street, and the joint sixteen inch main is additionally metered at the City line and supplies the southern end of the City.

All water consumed by the Huyck Felt Corporation is purchased from the City of Rensselaer; both General Aniline and Film Corporation and Winthrop Laboratories purchase only water required for general sanitary purposes and obtain their process water from industrial water treatment plants on the Hudson River.

Improvements made to the water supply system during the past decade provide adequate pressure and capacity for normal and fire-fighting purposes throughout the City. No general or localized problems were identified during the course of this study; only normal maintenance is required.

The system currently supplies an average of 2.0 million gallons per day to users in the City of Rensselaer, about thirty percent of which is supplied to the three major industrial firms. The system's design capacity is adequate to satisfy a projected year 2000 requirement of 2.7 million gallons per day.

A map of the water system, including major transmission lines and general service area follows as Figure 21. The local gravity flow distribution system is not shown, for it is too intricate to include at report scale.

metered connection

2 million gallon storage facility

metered connection

key

major transmission line

boundary of general service area

note: local water distribution system not shown

THE LOS ANGELES WATER SUPPLY SYSTEM
A. J. HARRIS, JR.
1957

sewage disposal

The provision of an adequate municipal sewage disposal system consists of two major components: collection and treatment. Construction and long-term maintenance of a local sewage collection system is a responsibility of the City of Rensselaer; interception of locally-collected sewage and its treatment are the responsibilities of Rensselaer County Sewer District No. 1. The County Sewer District was created in 1968 and expanded to include Rensselaer in 1969, in response to actions of the New York State Department of Health placing several municipalities, including the City of Rensselaer, and several major industries under orders to abate pollution of the Hudson River.

Flow from the City's combined storm and sanitary sewers has traditionally emptied untreated into the Hudson River at some ten major outfall locations. Lesser quantities of combined untreated sewage have also been discharged to Mill Creek and Quackenderry Creek, particularly during periods of heavy or extended rainfall. The outfall sewer from the East Greenbush treatment plant, just east of the City limits, has also passed through the southern part of the City and been joined enroute to the Hudson by discharge from a twelve inch City sewer along South Street.

The County Sewer District has made substantial progress in attacking this problem since its creation. The District has been responsible for the design, financing and construction of a \$52 million system, bulwarked by advanced secondary waste treatment plant located along the Hudson some two miles north of the City in the Town of North Greenbush. The District has provided a system of intercepting sewers, pumping stations and force mains for conveyance of locally-collected sewage.

The treatment plant is expected to be operational prior to the conclusion of this study. Both the treatment plant and interceptor sewer facilities have been designed with sufficient reserve capacity to provide for future industrial and residential growth from throughout the District.

While the County Sewer District will intercept all pretreated process wastes from GAF and Winthrop Laboratories, the District has a design capacity to intercept only three and a half times average "dry weather flow" of the City's combined sewers. In extreme wet weather situations, there would thus be a surcharge to the system. This condition requires the

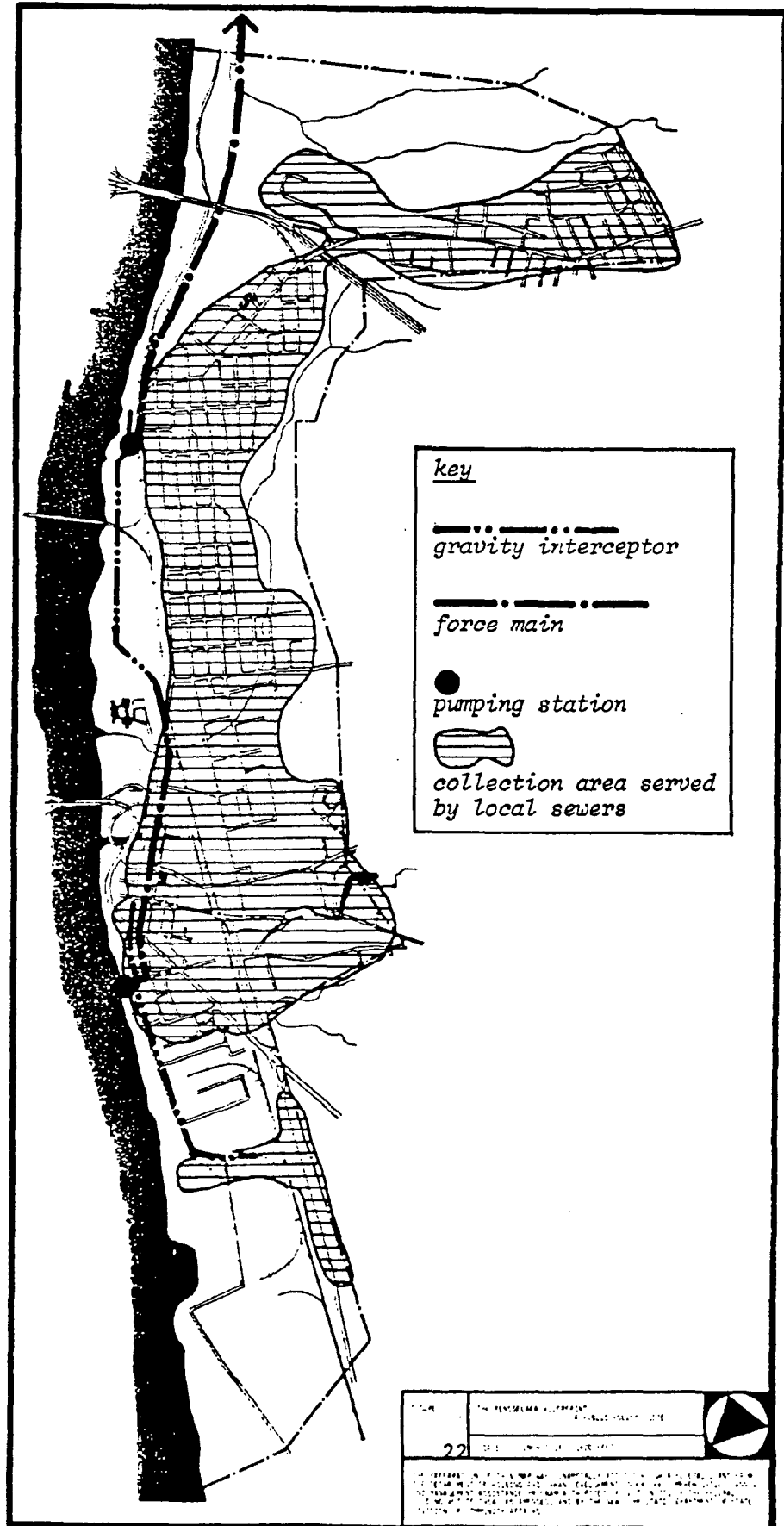
retention of the existing outfalls until such time that storm and sanitary sewers are separated. The planning implication is that there will remain some overflow discharge, though greatly diluted by storm-water, at these outfall locations some fifteen to twenty times annually.

Figure 22 illustrates the County interceptor system and tributary collection areas provided by the City. The City dry weather waste flows, including the pretreated wastes from GAF and Sterling Winthrop, formerly discharged to the Hudson River at points south of the Dunn Memorial Bridge, are now intercepted by a gravity interceptor sewer on Broadway and Riverside Avenue and conveyed to a pumping station at the corner of Riverside and Aiken Avenues. From the Aiken Avenue pumping Station the sewage is pumped through a twenty-four inch force main to a major outfall sewer at the foot of Partition Street. These flows from the Aiken Avenue pumping station, the flows from the Partition Street outfall, and wastes formerly discharged to the Hudson from sewers on Fowler Avenue, Central Avenue and Tracy Street are all conveyed by a forty-two inch gravity interceptor located between the railroad and the Hudson to a pumping station at the foot of Tracy Street. From Tracy Street all of the City's collected wastes are pumped to the treatment plant along the right-of-way of the Troy-Greenbush Railroad through a thirty-three inch diameter force main.

The City has a major commitment to face in the area of sewage disposal, that is, the requirement imposed by the Environmental Protection Agency that storm and sanitary sewers shall be separated at the earliest possible date. With such separation, development capacity in all areas served by the local collection system would be greatly increased and the need for retaining existing outfalls eliminated, thus improving both the quality of the Hudson and its recreational potential. A plan for such complete separation has been prepared by the City and approved by the Department of Environmental Conservation.

In addressing the issue of separation, it should be pointed out that the concept is certainly not a new one. The last major thrust of residential development in the City, in the area of Eastland Park, did, in fact, initially benefit from the installation of separate sanitary and storm sewers. Unfortunately, a vast number of storm inlets, foundation drains and roof drains have been indiscriminantly connected to the sanitary sewers and cross connections made between the storm and sanitary

sewage collection



sewers to relieve surcharging during wet weather. As a result, sewers in Eastland Park, as in the remainder of the City, now function as a combined system.

The age of the City's storm and sanitary system, with many key parts reportedly dating back to the 1880's, the need for separation, and critical problems such as the inadequacy and lack of expansionary capacity of the City's twelve inch diameter trunk sewer along Washington Avenue and under I-90, all point to the need for detailed study and evaluation beyond the scope of this report.

*riverfront
ownership*

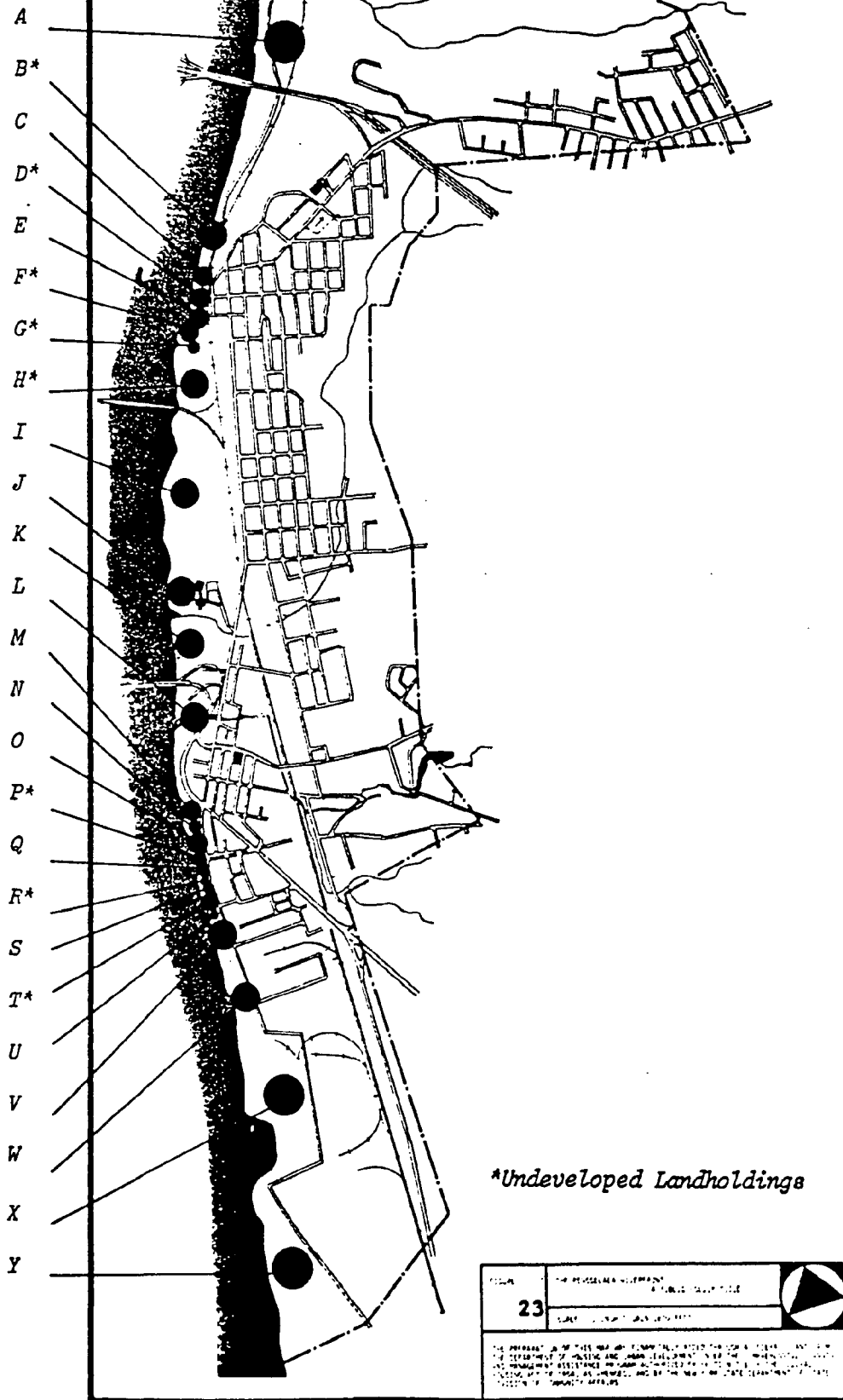
Tax maps prepared by the Rensselaer County Real Property Tax Office have been examined to identify the location, acreage and ownership of Rensselaer's riverfront acreage, generally those parcels west of the railroad tracks, or immediately related to these parcels.

Figure 23 locates riverfront landholdings and indicates whether they are currently developed or undeveloped.

Moving from north to south directly along River's edge, the following ownership pattern has been established.

<u>Ownership</u>	<u>Distance (Riverfront)</u>	<u>Acreage</u>
A. RPI (Rensselaer Polytechnic Institute)	4450'	40.+
B. City of Rensselaer	810'	2.3
C. Inland Pollution Control	385'	1.5
D. City of Rensselaer	170'	.4
E. Private (residential)	200'	.9
F. Private	330'	2.5
G. City	105'	1.1
H. Private (3 parcels)	1310'	12.1
I. AMTRAK	1920'	37.5
J. City School District	1125'	14.3
K. Zappalla Block	950'	12.6
L. NYS DOT	1720'	8.2

riverfront
ownership



M. Albany Yacht Club	410'	1.2
N. Commercial trucking firm	140'	.6
O. Private (residential, 12 parcels)	560'	2.0
P. Aiken Avenue, r.o.w.	80'	.15
Q. Rensselaer County Sewer District	228'	.5
R. Private (2 parcels)	80'	.3
S. Fort Crailo (State of New York)	70'	.25
T. Private (11 parcels)	325'	1.3
U. Private (residential)	67'	.3
V. Winthrop Laboratories	900'	26.5
W. General Aniline & Film Corporation	945'	63.3
X. Port of Albany	2920'	48.0
Y. Oil Tank Farms	2750'	99.4

Total riverfront shore is 22,950 feet, with 4138 feet in public ownership, 8990 feet owned and occupied by industrial users and 837 feet in residential use. 9500 feet are currently classified as undeveloped, including 1920' of AMTRAK's holdings for AMTRAK has verbally committed itself to use only property east of the County interceptor sewer for its industrial purposes.

City of Rensselaer
Planning and Development Agency
City Hall • Rensselaer, New York 12144

TRANSPORTATION IMPROVEMENTS POLICY STATEMENT

City of Rensselaer/May 1980

The City of Rensselaer has reviewed the findings and recommendations of the Rensselaer Subarea Transportation Study. This study was undertaken by the Capital District Transportation Committee (CDTC) upon request of the City, was directed by a Technical Advisory Group (TAG) comprised of state and local officials, and included an opportunity for citizen participation throughout the study period.

In addition to fully supporting the completion of on-going transportation improvement projects within the City, (i.e. the Riverfront Park, the Rensselaer Port Dock, the Columbia Street Arterial, the Third Avenue Bridge, the AMTRAK Parking lot, and the Route 9 & 20 bridges), the City conceptually endorses the following improvements recommended by the study and urges the early initiation of the appropriate development sequence for each project:

1. PUBLIC TRANSPORTATION. Improvement of public transportation through expanded CDTC bus service within the City and its environs.
2. WASHINGTON AVENUE. Alleviation of traffic congestion and the impact of heavy commuter flow on the Washington Avenue residential neighborhood through construction of an additional access point on Interstate I-90 between

the existing Washington Avenue and Couse interchanges, providing connection to either Route 4 in North Greenbush and/or Third Avenue Extension in East Greenbush.

3. BROADWAY/WASHINGTON AVENUE. Preservation of the viability of Broadway and Washington Avenue as "minor arterials" through rehabilitation within existing curb-lines of these roadways from Third Avenue north and east to the Rensselaer City line and then east to Route 4 at Defreestville. Pedestrians, bicyclists and public transportation should be accommodated.
4. PORT AREA. Alleviation of the impact of heavy truck and employee traffic on residences in the Fort Crailo neighborhood and along South Street, and the concurrent encouragement of economic development in the Rensselaer port and industrial area, through a closely-coordinated three-part program of improvement.
 - a. SOUTH STREET REHABILITATION. Rehabilitation of South Street as a two-lane roadway within existing right-of-way from its intersection with the new connector roadway south to the Rensselaer City line. Pedestrian safety and improved drainage should be fully accommodated. There is no endorsement for either residential and/or commercial/industrial property takings along South Street.
 - b. NEW CONNECTOR ROADWAY. Construction along new right-of-way of a connector between South Street and Riverside Avenue to accommodate present and anticipated

port and industrial area traffic. The new connector roadway should intersect South Street as far north as possible to avoid adverse impacts on, and/or takings of, any residential or commercial/industrial properties along South Street. Pedestrian and bicyclist safety should be accommodated and a grade-separated crossing of the railroad tracks should be provided.

- c. RENSSELAER AVENUE EXTENDED. Provision of a direct "collector" link from the Columbia Street Arterial to Riverside Avenue. The two-lane link should be accomplished through the rehabilitation within existing right-of-way of Rensselaer Avenue from Columbia Street to Nelson Avenue and the extension of Rensselaer Avenue along new right-of-way through the present Sterling Organics parking lot. Pedestrian and bicyclist safety, improved drainage, protection for the Coyne Field recreational facility, and replacement of on-street and/or off-street parking that will be lost should be accommodated. There is no endorsement for any residential property takings along either Rensselaer Avenue or Belmore Place.

This three-part program of improvement should be concurrently initiated and progressed by CDTC and the New York State Department of Transportation (NYS DOT). Actual construction of the Rensselaer Avenue improvement shall not be authorized

until there is a full assurance acceptable to the City and the Fort Crailo Neighborhood Association (available funding set aside and a construction schedule established) that the new connector roadway will be constructed. Upon implementation of the new connector roadway, all through truck traffic should be removed from the RENSSELAER AVENUE EXTENDED.

The City of Rensselaer thanks the Capital District Transportation Committee staff, the members of the Technical Advisory Group, and concerned citizens for expending their time and effort throughout the study period. The City looks forward to working closely with CDTC and NYS DOT and other concerned parties in seeing both on-going transportation improvement projects and these recommended improvements through to completion.

5/23/80
Date

Joseph P. Mink
Joseph P. Mink, Mayor

5-21-80
Date

Irwin Stewart
Irwin Stewart, President
Common Council

5-22-80
Date

William A. Pulver
William A. Pulver, Chairman
Planning Commission

15 May 1980
Date

Louis Polsinello, Sr.
Louis Polsinello, Sr., President
Chamber of Commerce

May 8, 1980
Date

Edward Pieper
Edward Pieper, President, Fort
Crailo Triangle Neighborhood
Association

Motion by Alderman LEHNER

Seconded by Alderman SILL

LOCAL LAW NO. 3 OF 1986

A LOCAL LAW REPLACING THE ENVIRONMENTAL QUALITY REVIEW LAW
OF THE CITY OF RENSSELAER (LOCAL LAW NO. 3 OF 1978)
RELEVANT TO THE LOCAL WATERFRONT REVITALIZATION PROGRAM

BE IT ENACTED by the Common Council of the City of Rensselaer as follows:

1. Local Law No. 3 of 1978 of the City of Rensselaer, New York, otherwise known as "the Environmental Quality Review Law of the City of Rensselaer" is hereby amended by the addition or amendment of the following sections, shown as underlined:

ARTICLE I General Provisions

- A. TITLE. This Local Law shall be known and may be cited as the "Environmental Quality Review Law of the City of Rensselaer, New York".
- B. PURPOSE. It is the purpose of this local law to establish a procedure whereby the City of Rensselaer may implement Article 8 of the New York State Environmental Conservation Law, providing for the environmental quality review of any action which may have a significant effect on the environment, and also to provide for the protection and beneficial use of the natural and man-made resources within the City of Rensselaer waterfront area by insuring where and when possible and practicable that certain actions to be undertaken, approved or funded by a city agency be performed in a manner consistent with the policies and purposes of the City of Rensselaer Local Waterfront Revitalization Program.
- C. AUTHORITY. This law is adopted under the authority of Article 42 of the Executive Law of New York State, Section 10 of the Municipal Home Rule Law of New York State, the State Environmental Quality Review Act, and the State Environmental Quality Review Regulations.
- D. APPLICABILITY. All appropriate agencies of the City of Rensselaer must comply with this local law, prior to directly undertaking, approving, or funding any action when such action is classified as Type I or Unlisted under Part 617 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York.
- E. SEVERABILITY. The provisions of this local law are severable. If any part of this local law is found invalid, such finding will apply only to the particular provision and circumstances in question. The remainder of this local law, and the application of the disputed provision to other circumstances, will remain valid.
- F. DEFINITIONS.
- (a) "Action" means either a "Type I" or "Unlisted" action as defined in SEQR regulations at 6 NYCRR 617.2, or any directly undertaken, funding, or approval action occurring within or affecting a critical environmental area designated pursuant to 6 NYCRR 617.4(j).

- (b) "Coastal Zone Area" means that portion of the NYS Coastal Area within the City of Rensselaer as delineated in the City of Rensselaer Local Waterfront Revitalization Program.
- (c) "EAF" means Environmental Assessment Form as defined at 6 NYCRR 617.2(1).
- (d) "EIS" means Environmental Impact Statement as defined at 6 NYCRR 617.2(m).
- (e) "Local Waterfront Revitalization Program (LWRP)" means the local program to implement the NYS Coastal Management Program within the City of Rensselaer as approved by the Secretary of State pursuant to the Waterfront Revitalization and Coastal Resources Act of 1981 (Article 42 of the Executive Law of New York State), a copy of which is on file in the City Clerk's Office and available for inspection during normal business hours.
- (f) "Part 617" means the State Environmental Quality Review Regulations. (Part 617 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York).
- (g) "SEQR" means the State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law, which is Chapter 43-b of the Consolidated Laws of the State of New York).
- (h) "City" means the City of Rensselaer.
- (i) "City Agency" means any board, commission, department, office, body or officer of the City of Rensselaer.
- (j) "Common Council" means the Common Council of the City of Rensselaer.
- (k) "CAF" means Coastal Assessment Form as adopted by the Common Council.
- (l) "Planning Commission" means the City of Rensselaer Planning Commission.
- (m) All other terms used in this Local Law shall have the same meaning as those defined in Section 8-0113 of the Environmental Conservation Law and Part 617 of Title 6 NYCRR.

ARTICLE II DELEGATION OF RESPONSIBILITY

- A. RESPONSIBILITY FOR REVIEW. The City Planning Commission is assigned the responsibility to review and approve all matters relating to the use and development of the designated Coastal Zone Area.
- B. SECRETARY. The Secretary of the Planning Commission, or such other person as the Planning Commission may designate, shall assume the responsibility for scheduling of all meetings, coordinating of all activities and recording and filing of all business pertaining to the matters described in section A of this Article.
- C. ANNUAL REPORT REQUIRED. The Secretary, or such other person designated by the Planning Commission, shall prepare an annual report on the Planning Commission's activities relating to use and development of the Coastal Zone Area not later than 1 April of each year. Such report shall be submitted to the mayor and common council and may include any recommendations pertaining to

any changes necessary to more effectively implement the environmental quality review processes contained in this Local Law. A copy of the annual report shall be filed with the Department of Environmental Conservation.

ARTICLE III COMPLIANCE REQUIRED

- A. GENERAL. No decision to carry out or approve or fund any action shall be made by the common council or by any other city agency until there has been full compliance with all requirements of this Local Law and Part 617 of Title 6 NYCRR.
- B. TYPE I ACTIONS. Consistent with Part 617 of Title 6 NYCRR and the criteria therein, the Type I actions listed in Section 617.12 and all directly undertaken, funded or approval actions occurring within or affecting a critical environment area designated pursuant to 6 NYCRR 617.4(j) are deemed likely to have a significant effect on the environment and are likely to, but shall not necessarily, require preparation of an environmental impact statement.
- C. TYPE II ACTIONS. Consistent with Part 617 of Title 6 NYCRR and the criteria therein the Type II actions listed in Section 617.13 are deemed not to have a significant effect on the environment impact statement.
- D. EXEMPT AND EXCLUDED ACTIONS. The following actions and activities shall be exempt from the requirement of this Local Law:
1. Actions defined as exempt actions in Section 617.2 of Title 6 NYCRR;
 2. Actions undertaken or fully approved or funded prior to the effective date of the State Environmental Quality Review Act;
 3. All normal street, highway and utility maintenance activities;
 4. The conducting of environmental engineering, economic feasibility or other studies and preliminary planning necessary for the formulation of a proposal for action without committing the City to approve, commence, or engage in such action; and
 5. The granting of approval to any part of an application which relates only to technical specifications and requirements, provided that no such partial approval shall entitle the applicant to commence the action until all requirements of this local law and Part 617 of Title 6 NYCRR have been fulfilled.
- E. UNLISTED ACTIONS. Consistent with Part 617 of Title 6 NYCRR and the criteria therein, unlisted actions are defined as those actions which are not excluded or exempt nor listed as Type I or Type II actions in State or local SEQR regulations. Such actions may or may not have a significant effect on the environment and may or may not require the preparation of an environmental impact statement.

ARTICLE IV INITIAL DETERMINATION/GENERAL PROCEDURE

- A. APPLICATION. For the purpose of determining whether any variance, approval or other action may have a significant effect on the environment, applicants for permits or other approvals, except for those actions initiated by the City, shall file a written statement with the responsible official or body setting

forth the name of the applicant; the location of the property affected, if any; a description of the nature of the proposed action; and, as a supplement to the otherwise required information, a statement of the effect it may have on the environment. The statement shall be filed simultaneously with the application. The statement provided herein shall be upon an environmental assessment form prescribed by the responsible official or body and shall contain such additional relevant information as shall be required in the prescribed form. Such statement shall be accompanied by drawings, sketches, and maps, if any, together with any other relevant explanatory material required by the City official or body having variance, approval or permit jurisdiction.

- B. **POSTING.** Upon receipt of a complete application and statement, the responsible official or body shall cause a notice to be posted on the signboard maintained by the City and may also cause such notice to be published in the official newspaper of the City, describing the nature of the proposed action and stating that written views thereon of any person shall be received by the responsible official or body not later than a date specified in such notice. Such notice shall also be sent to each member of the Planning Commission.
- C. **WRITTEN DETERMINATION.** The responsible official or body shall render a written determination, except where not required by this Local Law, on such application within fifteen (15) calendar days following receipt of a complete application and statement, provided, however, that such period may be extended by mutual agreement of the applicant and the responsible official or body. The determination shall state whether such proposed action may or will not have a significant effect on the environment.
- D. **REFERRAL TO PLANNING COMMISSION.** Where any proposed action is not specifically governed by Article IV, (C), or (D) or this Local Law, the responsible official or body shall so notify the Planning Commission within five (5) calendar days following receipt of a complete application and statement. The Planning Commission shall review the proposed action and issue recommendation to the responsible official or body. The responsible official or body shall then render a written determination in accordance with this Local Law, which determination shall be consistent with the recommendations of the Planning Commission, and shall file such determination with the required agencies provided in Part 617 of Title 6 NYCRR, Section 617.10.
- E. **CONSULTATION.** The responsible official or body or the Planning Commission may hold informal meetings or consult with any person for the purpose of aiding in making a determination on the application.
- F. **CITY INITIATED ACTIONS.** Actions as defined in Part 617 of Title 6 NYCRR, Section 617.12, initiated by the City shall, for the purpose of compliance with this Local Law and Part 617 of Title 6 NYCRR, be under the jurisdiction of the Director of Planning and Development. No decision to carry out any such action shall be made until the Director of Planning and Development has rendered a written determination in accordance with Article V (C) through (E) of this Local Law. Within these sections, for actions initiated by the City, the procedures which apply to the responsible official or body shall instead apply to the Director of Planning and Development.
- G. **TIME REQUIREMENTS.** The time limitations provided in this Local Law shall be coordinated with, to the extent practicable, other time limitations provided by statute or Local Law, ordinance or regulation of the City.

ARTICLE V DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)

- A. GENERAL. If it is determined, in accordance with this Local Law, that a proposed action may have a significant effect on the environment, the proposed action shall be reviewed and processed in strict accordance with the provisions of part 617 of Title 6 NYCRR and as provided in this Local Law.
- B. DEIS PREPARATION. Following a determination that a proposed action may have a significant effect on the environment, the Director of Planning and Development for actions initiated by the City, or the responsible official or body shall prepare or cause to be prepared a draft environmental impact statement in accordance with the provisions of Part 617 of Title 6 NYCRR. Refusal of the applicant to prepare such a draft shall cause the official or body to cease processing the application. Where the action involves an application for a variance, approval or other action, the full cost of preparing the draft environmental impact statement shall be borne by the applicant.
- C. NOTICE OF COMPLETION OF DEIS. Upon completion of a draft environmental impact statement, a Notice of Completion containing the information specified in Part 617 of Title 6 NYCRR shall be published in the official newspapers of the City. Copies of the draft environmental impact statement and the Notice of Completion shall be filed, circulated, sent and made available as required by Part 617 of Title 6 NYCRR.
- D. REVIEW OF DEIS. The draft environmental impact statement shall be reviewed by the Planning Commission which shall determine if a public hearing on the draft environmental impact statement is necessary. If the Planning Commission determines that a public hearing is necessary, notice thereof shall be filed, circulated and sent in the same manner as the Notice of Completion and shall be published in the official newspapers of the City, at least fourteen (14) calendar days prior to such public hearing. Such notice shall also state the place where substantive written comments on the draft environmental impact statement may be sent and the date before which such comments shall be received. The public hearing shall commence no less than fifteen (15) nor more than sixty (60) calendar days after the filing of the draft environmental impact statement except as otherwise provided where the Director of Planning and Development, for actions initiated by the City, or the responsible official or body determines that additional time is necessary for public or other agency review of the draft environmental impact statement or where a different hearing date is required as appropriate under applicable law. If, on the basis of the draft environmental impact statement or a public hearing, the Planning Commission determines that an action will not have a significant effect on the environment, the proposed action may be processed without further regard to this Local Law.

ARTICLE VI FINAL ENVIRONMENTAL IMPACT STATEMENT (EIS)

- A. GENERAL. If it is determined, in accordance with review of the DEIS, that a proposed action will have a significant effect on the environment, preparation of a final environmental impact statement shall be required and shall be reviewed and processed in strict accordance with the provisions of Part 617 of Title 6 NYCRR and as provided in the Local Law.
- B. EIS PREPARATION. Except as otherwise provided in this Local Law, the Director of Planning and Development, for actions initiated by the City, or the responsible official or body shall prepare or cause to be prepared a final environmental impact statement in accordance with the provisions of Part 617 of Title 6 NYCRR, provided further that if the action involves an application, the responsible official or body shall direct the applicant to prepare the final environmental impact statement. Such final

environmental impact statement shall be prepared within forty-five (45) calendar days after the close of any public hearings or within sixty (60) calendar days after the filing of the draft environmental impact statement, whichever last occurs, provided, however, that the responsible official or body may extend this time as necessary to complete the statement adequately or where problems identified with the proposed action require material consideration or modification.

- C. **NOTICE OF COMPLETION OF EIS.** A notice of Completion of a final environmental impact statement shall be prepared, published and filed in the same manner as provided in Article VI (C) of this Local Law and shall be sent to all persons to whom the Notice of Completion of the draft environment impact statement was sent. Copies of the final environmental impact statement shall be filed and made available for review in the same manner as the draft environmental impact statement.
- D. **REVIEW OF EIS.** The final environmental impact statement shall be reviewed by the Planning Commission which shall provide the Director of Planning and Development, for actions initiated by the City, or the responsible body or official with written recommendations and comments concerning the final environmental impact statement within fifteen (15) calendar days after the filing date of the final environmental impact statement.
- E. **FILING REQUIRED.** No decision to carry out or approve an action which has been the subject of a final environmental impact statement shall be made by the Common Council or any other board, department, commission, officer or employee of the City having jurisdiction until after the filing and consideration of the final environmental impact statement, which decision shall be made within thirty (30) calendar days of the filing of the final environmental impact statement.
- F. **WRITTEN DETERMINATION.** When the Common Council or any other board, department, commission, officer or employee of the City having jurisdiction decides to carry out or approve an action which may have a significant effect on the environment, the following findings shall be made in a written determination:
 - 1. Consistent with social, economic, and other essential considerations of City policy, to the extent practicable, from among the reasonable alternatives thereto, the action to be carried out or approved is one which minimizes or avoids adverse environmental effect, including the effects disclosed in relevant environmental impact statements.
 - 2. All practicable means will be taken in carrying out or approving the action to minimize or avoid adverse environmental effects. For public information purposes, a copy of such determination shall be filed and made available as required in Part 617 of Title 6 NYCRR.

ARTICLE VII MAINTENANCE OF RECORDS

The City Clerk shall maintain files open for public inspection of all Notices of Completion, draft and final environmental impact statements and written determinations prepared or caused to be prepared by the City. Duplicates of all such files shall be maintained by the Planning Commission in the Office of the Director of Planning and Development. The Director of Planning and Development shall also maintain for

public review a copy of Article 8 of the New York State Environmental Conservation law, as amended, and its implementing regulations, as included in Part 617 of Title 6 NYCRR.

ARTICLE VIII LEAD AGENCY DESIGNATION

When more than one agency is involved in an action, the procedures of Section 617.6 and 617.7 of Part 617 of Title 6 NYCRR shall be followed. In such cases, it shall be the policy of the City to encourage that lead agency designation be assumed by the local governmental agency having jurisdiction if practicable.

ARTICLE IX MODIFICATION OF PRIOR ACTIONS

Actions undertaken or approved prior to the dates specified in Article 8 of the Environmental Conservation Law shall be exempt from the Local Law and the provisions of Article 8 of the Environmental Conservation Law and Part 617 of Title 6 NYCRR provided, however, that if, after such dates, the Common Council, or any other board, department, commission, officer or employee of the City having jurisdiction modifies an action undertaken or approved prior to that date and the Planning Commission determines that the modification may have a significant effect on the environment, such modification shall be an action subject to this Local Law and Part 617 of Title 6 NYCRR.

ARTICLE X EFFECTIVE DATE

This Local Law shall take effect ten (10) days after its approval by the Mayor.

APPENDIX A - COASTAL ZONE AREA/CONSISTENCY REVIEW

A. Description. The Coastal Zone Area of the City of Rensselaer is defined in the adopted Local Waterfront Revitalization Program approved by the New York State Secretary of State, as approximately all lands within the designated 100-year flood plain on the river side of the existing railroad tracks (See attached map). The designated flood plain is described in the National Flood Insurance Program Flood Insurance Rate Map, issued by the Federal Insurance Administration, U.S. Department of Housing and Urban Development.

B. Consistency. Any action to be undertaken by any person, corporation or agency within the designated Coastal Zone Area, as herein defined, shall also be consistent to the extent practicable with the coastal policies listed in Appendix A (I)(D) of this Local law and explained in the Local Waterfront Revitalization Program of the City of Rensselaer. A review of any such action shall contain a written determination of consistency whether or not the action is determined to have a significant effect on the environment.

C.1 Review. The Planning Commission or another city agency, when proposing to undertake, approve, or fund a Type I or Unlisted action in the Coastal Zone Area shall prepare or cause to be prepared a CAF for the proposed action. Following the preparation of an EIS or the issuance of a negative declaration pursuant to Part 617 of Title 6 of NYCRR, a city agency shall refer the CAF, any EIS and other pertinent information for that action to the Planning Commission for review and determination regarding the action's consistency with the policies of the LWRP.

C.2 Certification of Consistency

C.2.1 Prior to its undertaking, approving or funding of a proposed Type I or Unlisted action in the Coastal Zone Area, and for each action referred by a city agency

pursuant to section C.1, the Planning Commission shall either:

- (a) Find and certify in writing that the action will not substantially hinder the achievement of any of the policies and purposes of the LWRP; or
- (b) If the action will substantially hinder the achievement of any policy of the LWRP, find and certify in writing that all three of the following requirements are satisfied: (i) no reasonable alternatives exist which would permit the action to be undertaken in a manner which would not substantially hinder the achievement of such policy; (ii) the action will minimize all adverse effects on such policy to the extent practicable; and (iii) the action will result in a significant regional or state-wide public benefit. Such certification shall constitute a determination that the action is consistent to the extent practicable with the policies and purposes of the LWRP; or
- (c) Find and certify in writing that the action is not consistent with the policies and purposes of the LWRP, since it would substantially hinder the achievement of one or more policies and would not satisfy all of the requirements identified in section C.2.1.(b) above.

C.2.2 The Planning Commission shall complete its review of the proposed action's consistency and prepare a written finding to the referring city agency within thirty (30) days of the referral date. The Planning Commission may refer such actions for review and recommendation to any city agency.

C.2.3 No action contemplated under this Local Law shall be undertaken, approved, or funded unless the Planning Commission certifies its consistency with the policies and purposes of the LWRP by finding pursuant to either C.2.1 (a) or C.2.1 (b) above.

C.2.4 The written findings and certification of consistency made by the Planning Commission shall be filed with the city clerk before the action is undertaken, approved, or funded.

D. Maintenance of Records. Any such consistency determination shall become part of the lead agency's findings and, as such shall be a permanent record to be maintained in accordance with Article VII of this Local Law.

E. State Policies. Actions to be undertaken within the Coastal Zone Area shall be evaluated for consistency in accordance with the following LWRP policies, standards and conditions, which are derived from and further explained and described in Section III of the City of Rensselaer's LWRP, a copy of which is filed in the City Clerk's office and available for inspection during normal business hours. Agencies which directly undertake actions shall also consult with Section IV of the LWRP in making their consistency determination. The action shall be consistent with the policy to:

Redevelop the Albany Port District area as a regional marine transportation facility. (Policy I; 1a)

Revitalize the central business district and create opportunities for commercial expansion. (Policy 1; 1b; 1e)

Revitalize deteriorated residential neighborhoods and create new residential opportunities (Policy 1; 1c; 1d)

Develop where and when practicable a Riverfront Open Space and Trail System along the City's waterfront.

Permit office park development in the north waterfront. (Policy 1; 1g)

Facilitate the siting of water dependent uses. (Policy 2)

Maintain all suitable industrial land within and contiguous to Port lands for marine-related industrial development. (Policy 2; 2a)

Further develop the Port of Albany as a center of commerce and industry and encourage the siting of land uses which are essential to or in support of waterborne transportation. (Policy 3)

Reduce Port-related truck traffic in residential neighborhoods. (Policy 3; 3a)

Encourage development in areas where adequate infrastructure is already in place. (Policy 5)

Prevent chemical contamination of fish and wildlife resources and their food chains. (Policy 8)

Promote recreational use of fish and wildlife resources, and protect such resources from chemical pollution. (Policy 8;9)

Minimize damage to natural resources and property from flooding and erosion through proper location of new land development, protection of wetlands, proper construction and use of structural erosion controls, and use of non-structural measures where practicable. (Policy 11; 14; 17)

Structures will be sited so as to minimize damage to property and the endangering of human life caused by flooding and erosion. (Policy 11)

Development and land use will be undertaken in such manner as to protect natural protective features.

Construction or reconstruction of erosion protection structures may be performed only if they have a probability of controlling erosion for at least 30 years. (Policy 13)

Development and land use, including reconstruction of erosion protection structures, shall not cause an increase in erosion or flooding. (Policy 14)

Public funds shall only be used for erosion protective structures where necessary to protect human life or existing water-dependent development. (Policy 16)

Non-structural measures to minimize flood and erosion are preferred. (Policy 17)

Develop where and when practicable overlooks, boat launches, boat moorings, fishing piers, and direct access to the shoreline along the Riverfront Open Space and Trail System. (Policy 19-19h)

Link the Riverfront Open Space and Trail System with recreational amenities in the Town of North Greenbush waterfront, if appropriate. (Policy 19; 19h)

Access to the public foreshore shall be provided, retained and increased where and when practicable. (Policy 20)

Promote water-dependent recreation. Provide water related recreation as a multiple use when compatible with primary use. (Policy 21; 22)

Protect historic, archeological, architectural and cultural resources. (Policy 23)

Protect and enhance visual quality. (Policy 24; 25)

Coastal Policies will be considered when reviewing or modifying water classifications or standards. Water overburdened by contaminants will be treated as a development constraint. (Policy 31)

Best management practice will be used to ensure the control of storm water runoff and combined sewer overflows draining into coastal waters. Promote responsible marine sanitation practices. (Policy 33; 34)

Dredging and dredge spoil disposal projects shall protect living, natural and scenic resources, and wetlands. (Policy 35)

Activities related to the shipment and storage of hazardous materials shall be conducted in a manner to prevent spills and minimize impacts. (Policy 36)

Best management practices to minimize non-point discharge of excess nutrients, organics and eroded soils, are required. (Policy 37)

Solid waste shall be handled in a manner which protects natural and scenic resources, and recreational land uses. (Policy 39)

Preserve and protect freshwater wetlands. (Policy 44)

Approved as to Form and Sufficiency
this 11 day of December 1986

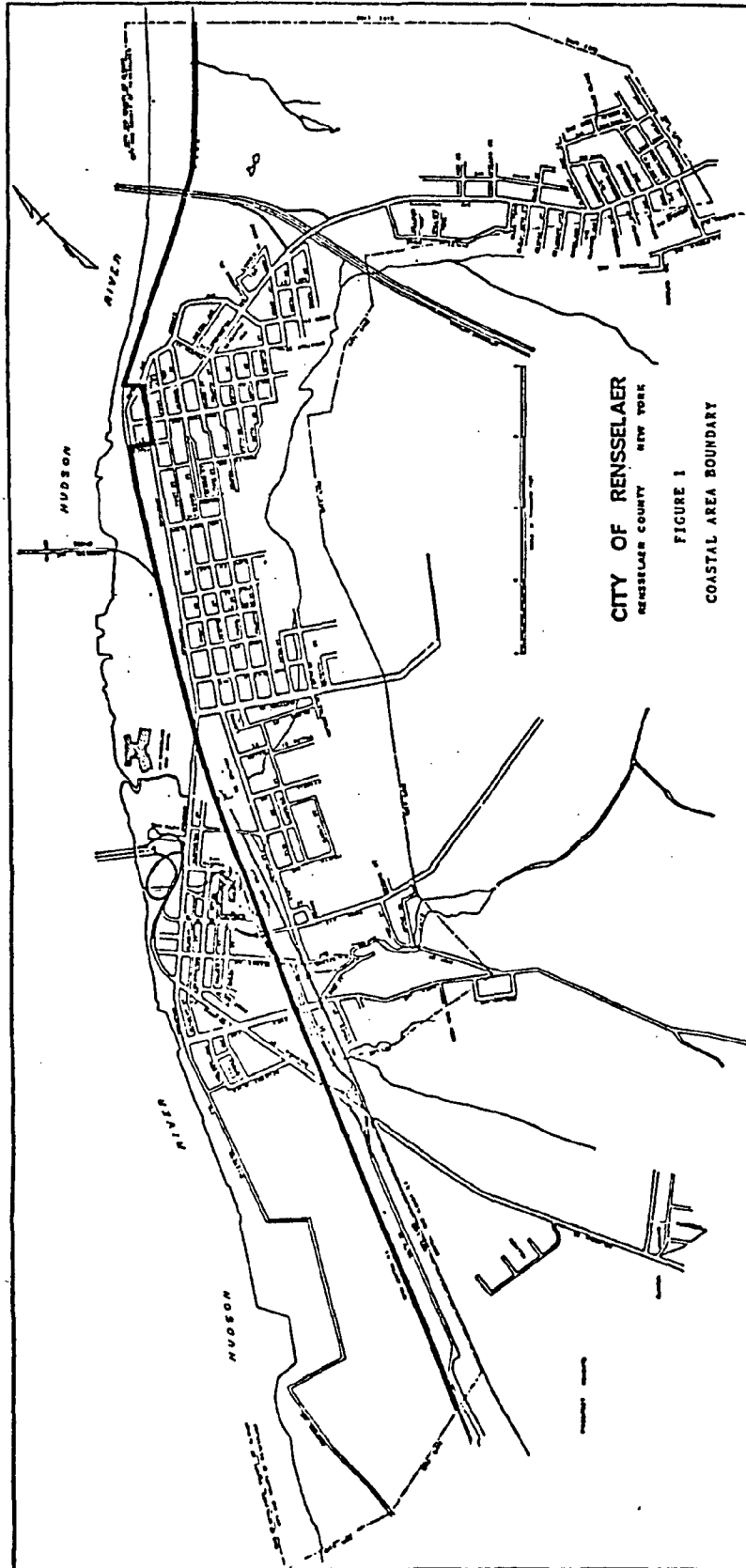
[Signature]
Corporation Counsel

Approved:

[Signature] 11/31/86
Mayor Date

EDWARD FENLAN
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JOHN MOONEY
RICHARD CORBLEN
MARK LENNER
FRED NAREWICKI
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ROBERT FA-BENADOFF
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